The Solicitors' Journal

Vol. 104 No. 17 [pp. 315–334] APRIL 22, 1960 [One shilling and ninepence

APRIL 22, 1960

THE

SOLICITORS' JOURNAL

VOLUME 104

NUMBER 17

CURRENT TOPICS

Legal Aid

FOLLOWING closely upon the giving of the Royal Assent to the Legal Aid Act, 1960, on 13th April, new legal aid amendment regulations were laid before Parliament last Wednesday and come into operation next week, on 27th April. The Legal Aid (General) (Amendment) Regulations, 1960 (S.I. 1960 No. 730), relax the financial conditions for legal aid in matters not involving litigation under s. 5 of the Legal Aid and Advice Act, 1949. In future it will be available to those who have a disposable capital not exceeding £125 (instead of £75) and a disposable income not exceeding £390 (instead of £234); and in determining the disposable capital certain deductions will be made in respect of dependants living with the applicant. The regulations also clarify the grounds upon which this form of legal aid may be refused and the information which may be furnished to an area committee to enable them to consider whether to discharge a civil aid certificate. The period within which an assisted person's opponent may file an affidavit of his own means is extended up to the judgment instead of, as hitherto, up to the hearing. The Legal Advice (Amendment) Regulations, 1960 (S.I. 1960 No. 729), relax the financial conditions on which legal advice is available under s. 7 of the Legal Aid and Advice Act, 1949. In future it will be available to those who have not more than £125 capital (instead of £75) and an income (after certain deductions) of not more than £7 10s. in the week preceding the application for legal advice (instead of £4 10s.). We understand that further regulations will shortly be made dealing with the assessment of resources in connection with legal aid applications.

Road Accidents

THE appalling number of casualties on the roads at Easter will provide a macabre background to the Commons debate on Mr. GRAHAM PAGE'S Road Safety Bill next Friday. Although it is unlikely that any such measure finally enacted will bear much resemblance to the present form of the Bill, no suggestions should be ignored in endeavouring to find ways to increase road safety. We hope that the MINISTER OF TRANSPORT will demand and will publish an analysis of the causes of those Easter road accidents which were followed by deaths or serious injuries. Our present impression is that the provision for compulsory blood tests in Mr. Page's Bill would be less effective in combating bank holiday accidents than the introduction of the proposed new force of road safety officers. Certainly the careless few who specialise in overtaking on narrow stretches of road or when approaching brows of hills are deterred by the sight of uniformed policemen. Wider measures too should not be ruled out such as following

CONTENTS

Scotland's example in arranging for public holidays to be taken at different periods in different places; general bank holidays in the circumstances of to-day are not only out-dated but are also dangerous.

Plying for Hire

THE driver of a hackney carriage standing at an appointed stand or in any street must, unless he has reasonable excuse, drive to any place within the distance fixed by law to which he is directed to drive by a hirer or intending hirer, and s. 7 of the Hackney Carriages (London) Act, 1853, stipulates that "The driver of every hackney carriage which shall ply for hire at any place within the limits of this Act shall . . . drive such hackney carriage to any place to which he shall be required by the hirer thereof to drive the same, not exceeding six miles from the place where the same shall have been hired." Further, every driver who refuses to drive his hackney carriage to any place within the limits of the Act, not exceeding six miles, to which he is required to drive any person hiring or intending to hire his carriage, is liable to a penalty (s. 17 (2) of the 1853 Act). In a recent case at Bow Street Magistrates' Court the question arose as to whether a taxi driver who had stopped at traffic lights was bound to accept a fare and it was decided that he was not obliged to do so as at the material time he was not plying for hire. This finding may be regarded as an extension of the principle enunciated in *Hunt* v. *Morgan* [1949] 1 K.B. 233, where the appellant was driving his cab in London with the flag in the "for hire" position. A man made clear signals to the appellant and shouted, indicating that he desired to hire his cab, but the appellant did not stop. The Divisional Court held "that a cab driver commits no offence under the 1853 Act by refusing to stop when hailed, and that he can only be required to accept anyone who chooses to hire him when he is actually on a rank or is stationary in a street" (per LORD GODDARD, C.J.). It would seem, therefore, that a cab driver is not "stationary in a street" when he is stopped temporarily at traffic lights. It is interesting to note that in *Hunt* v. *Morgan*, *supra*, their lordships said that they understood the difficulty of cab drivers, the police and magistrates in ascertaining the law on this subject and they thought that an Act consolidating and amending and, if possible, simplifying the law with regard to cabs was very desirable. The need is as great as ever.

Insulting Words and Behaviour

WE drew attention to the decision of the Divisional Court in *Bryan* v. *Robinson* (1960), *The Times*, 9th April, where their lordships held that a woman who stood in the doorway of a refreshment establishment in the West End of London and leant out, smiled, beckoned and spoke to three men walking past was wrongly convicted of using insulting words and behaviour whereby a breach of the peace might be occasioned (see "Smiling in Doorways," p. 296, *ante*), and we hasten to mention a decision at Bow Street Magistrates' Court in which this case was distinguished. It was alleged that on two occasions the eighteen-year-old defendant stepped from the doorway of a near-beer club and held a man's arm while inviting him inside. The magistrate, Sir LAURENCE DUNNE, thought that as a result of the defendant's effrontery a person might be provoked into pushing her away and, if someone saw this happen, he might interfere and injury result. Sir Laurence Dunne said that he had no desire to stretch the law "but any interference with the person, particularly against their wish, is an assault, and an assault is a breach of the peace. What this young woman did to passers-by was in itself an assault."

Indicting a Good Samaritan

IT is generally accepted that an accessory after the fact is one who, knowing a felony to have been committed by another, receives, relieves, comforts or assists that other, and in a recent case at the Thames Magistrates' Court it was contended that a certain woman came within this definition. It was said that she took a man who was bleeding profusely—and was later charged with capital murder—to her home for the "purely temporary purpose" of binding up his wounds and later to hospital where, at the man's request, she held his hand while he was undergoing an operation. Counsel for the accused submitted that her actions did not constitute "comforting, harbouring or relieving" and he suggested that if a person who binds up wounds is an accessory after the fact you could indict the Good Samaritan. The magistrate, Mr. LEO GRADWELL, obviously found this prospect distasteful, and he discharged the accused. It was also said that there was no evidence that the accused knew that a crime had been committed and it appears that this fact alone would have provided a sufficient defence as it is necessary that an accessory, at the time of assisting or comforting the felon, should have had notice, direct or implied, that he had committed a felony.

Declarations as to Pedigree

As is well known, there are certain exceptions to the general rule that hearsay evidence is not admissible and several of these exceptions concern declarations made by deceased persons. For example, the decision of the House of Lords in the *Berkeley Peerage Case* (1811), 4 Camp. 401, is authority for saying that statements made by deceased persons, who were related by blood or marriage with the family in question, are admissible to prove relationship, or facts upon which such matters depend, such as births, if those statements were made *ante litem motam*. In *Anderson* v. *Walden* [1960] O.R. 50, the question arose as to the paternity of a certain child and it was sought to give evidence of a statement alleged to have been made by the mother of the child to her step-father shortly before her death. This statement was that "the baby was Bill Walden's . . . and I don't know why he don't come and see it and see me." Counsel for the plaintiff sought to justify the reception of this evidence on the ground that it was a declaration made by a deceased relative *ante litem motam* which was admissible as a declaration of a deceased person tending to prove a matter of family pedigree. However, the Court of Appeal of Ontario held that the declaration of the deceased was not admissible as at the time at which it was made not only had an actual controversy arisen upon the question of the legitimacy of the child, but proceedings had been instituted by the husband for divorce based upon the adultery implicit in the allegation of illegitimacy. The fact that the wife was unaware of the institution or the contemplated institution of these proceedings was irrelevant. This decision may be compared with that of the Court of Appeal in *Re Jenion; Jenion* v. *Wynne* [1952] Ch. 454, but, as Lord Redesdale asserted in the *Berkeley Peerage Case*, *supra*, "declarations *post litem motam* are not receivable."

WILFUL REFUSAL TO CONSUMMATE

THE meaning of "wilful" in s. 8 (1) (*a*) of the Matrimonial Causes Act, 1950, has never been very precisely defined, and in the recent case of *Jodla* v. *Jodla* [1960] 1 W.L.R. 236; p. 233, *ante*, it came up for fresh appraisal. To throw light on the intention of the Legislature in using the particular words of this section it is necessary to look at the history of the remedy provided. Until 1937 there was no remedy available to a man or woman whose spouse refused to consummate the marriage as distinct from being unable to do so. The Ecclesiastical Courts had always regarded impotence by either party as a ground for declaring the marriage void, provided that there had been ample opportunity for proving the capacity of the parties, but for mere refusal with no basis in physical disability there was no relief. At one time the triennium, a period of three years' cohabitation, was insisted on before a decree would be granted, to ensure that non-consummation was not due to mere coyness, but during the second half of the nineteenth century this requirement was gradually abandoned, until by 1913 in *Dickinson* v. *Dickinson* [1913] P. 198, Sir Samuel Evans was able to refer to a series of cases in which there had been decrees after very short periods of cohabitation, sometimes for a few days only.

As early as 1878, in *S.* v. *A.* (*otherwise S.*) (1878), 3 P.D. 72, the divorce court had assisted those unfortunate couples who failed to consummate their marriage without there being any medical reason by the development of a polite fiction: if a spouse resisted all attempts at intercourse over a reasonable period of time, the court could infer incapacity without evidence of any physical defect. This led in some cases to the distasteful result that the party in whom incapacity had been inferred married after the decree of nullity and produced children by the second union. It was a dislike for such fictions and their results which led Sir Samuel Evans in *Dickinson's* case to go beyond the law as it stood in his day: he argued that if a woman's refusal of intercourse was "wilful, determined and steadfast," she made consummation impossible as surely as if she had some physical incapacity; unless the husband were to use brute force there could never be consummation, and if the courts provided no remedy the inference must be that such brute force was the husband's proper redress. "Whether the refusal arises from causes which are physical, or mental, or partly mental and partly physical, is a complex, profound, mysterious question which I am wholly incompetent to decide," he said, and rather than infer some physical capacity of which there was no evidence he took the courageous course of saying that such persistent refusal was a valid ground for annulling the marriage. Whether this was good law in 1913 is very doubtful, but Sir Alan Herbert's 1937 Act gave the decision statutory force, and since that time "wilful refusal to consummate" has made a marriage voidable at the instance of the spouse whose overtures have been rebuffed.

Meaning of "wilful"

The main difficulty since then has arisen in the interpretation of the word "wilful." On the face of it, "wilful refusal" is tautology: refusal implies the exercise of the will, since it is difficult to imagine that anyone can refuse to do an act without forming the intention to refuse, and, without being metaphysical, this must impart the notion of wilfulness. But both reason and history make it clear that the statute does not mean that any refusal to consummate should make a marriage voidable: it would be unreasonable for the court to declare a marriage void on the ground of a solitary refusal of intercourse, or even a series of refusals if explicable in some way; and historically we have seen that the remedy, when first introduced to avoid the legal fiction of inference of physical incapacity, was founded on a "wilful, determined and steadfast refusal."

It was not until ten years after the introduction of the statutory remedy that the courts gave any lead as to the meaning of wilful refusal. Then the House of Lords, in *Horton* v. *Horton* [1947] 2 All E.R. 871, had to consider whether a husband could succeed in establishing that his wife had wilfully refused to consummate the marriage when he had himself been unwilling to do so for a period at the beginning of the marriage at a time when the wife had certainly desired consummation, even though when he later asked her to attempt intercourse she refused. Their lordships thought it undesirable to attempt any definition of the phrase "wilful refusal to consummate the marriage," but Lord Jowitt went so far as to say that "the words connote, I think, a settled and definite decision come to without just excuse."

Jodla v. *Jodla*

This merely substituted two problems for the original one, as not infrequently happens when the courts try to lay down rules while avoiding the responsibility of giving an exact definition of a statute. What is "settled and definite," and what is a "just excuse," as applied to wilful refusal? It is not perhaps difficult to answer the first question, but the second one opens up an entirely new field where no precedents can be called in aid. Thus it was that Hewson, J., found himself sailing uncharted seas when he came to decide the case of *Jodla* v. *Jodla*. Two Polish Roman Catholics, desirous of marrying in a hurry to anticipate the expiry of the wife's visa, were unable to arrange a religious ceremony in time and therefore married in a register office on the understanding that, in accordance with the dictates of their church, there would be no consummation until after the religious ceremony. Once officially married, the husband seems to have lost his sense of urgency, and in spite of several requests by the wife over a period of several months he failed to make any arrangements for the church ceremony, they never shared a bed and the marriage was never consummated; indeed, the husband never asked for intercourse, although he did complain that his wife was not looking after him "as a wife should." When he petitioned for a decree of nullity on the ground of wilful refusal, she denied the allegation and cross-prayed for a decree on the ground of his wilful refusal.

The learned judge held as a fact that the husband knew of the Roman Catholic concept of marriage as a sacrament, and therefore knew that consummation until after the religious ceremony was not permitted (this was confirmed by the fact that he had never asked for intercourse); the judge further held that the wife had been prepared to consummate the marriage as soon as there had been a ceremony according to Roman Catholic rites. Did either or both have a just excuse for refusing to consummate? Hewson, J., decided that the wife had a reasonable excuse because her husband had, by failing to arrange the church ceremony, made it impossible for her to have sexual intercourse with him; on the other hand, the wife could not be expected to ask for intercourse when there had been no true "marriage," and by asking him to arrange

the church ceremony she had done all that was required on her part to make consummation possible. By failing to go on with the arrangements the husband had "refused" to consummate, and that refusal was "wilful," in the sense of being "without just excuse" within the meaning of *Horton* v. *Horton*. The husband's petition was therefore rejected and the wife was granted a decree.

This case is a useful indication of the manner in which the courts will interpret the meaning of "just excuse," but it must be stressed that the decisive facts here were the attempts made by the wife to overcome the bar to consummation and the husband's failure over a period of months to remove the one thing that stood in the way. These facts are not likely to be repeated, and the safest guide in assessing any particular case is to look at it in the light of the historical development of the remedy sought. Only in this way can the temperature of the judicial mood be taken: although it is true that the temperature changes from time to time, it can be charted by a study of the patient's history and tendencies foreseen—although it must be admitted that sometimes the patient proves difficult and refuses to conform to the course so confidently predicted by the practitioner.

MARGARET PUXON.

LOCAL LAW—II

THE provisions contained in a general powers Bill may be divided broadly into the following categories:—

(1) Provisions conferring powers on the promoting, and possibly other authorities, for the better and more efficient administration of the authorities' business, e.g., power to set up capital, insurance and consolidated loans funds, to issue bonds, to delegate powers to sub-committees, to use loose-leaf minute books, to invest superannuation fund moneys in equities, and powers to acquire, lease and dispose of land additional to specific general statutory powers, and to develop land owned by the authority.

(2) Provisions imposing duties on landowners and others and creating offences for non-observance, more particularly in the spheres of highways, public health, public order and safety, and weights and measures.

Where a general powers Bill is promoted by a county council it commonly confers powers on the county district councils, and in some cases the parish councils also, within the county, and imposes new duties on the public not only in relation to matters within the ordinary jurisdiction of the county council such as highways but also in relation to matters within the ordinary jurisdiction of the district councils such as sewers and other sanitary matters.

The last two major general powers Acts containing provisions of the foregoing nature, before the Kent County Council ran into difficulties, were the Monmouthshire and Gloucestershire County Council Acts of 1956, though the Buckinghamshire County Council Act, 1957, contained general powers provisions on a more modest scale.

To take as an example the Gloucestershire Act, this Act contains 261 sections and five Schedules, of which five sections (Pt. II) and one Schedule relates specifically to the amendment of an earlier Act concerning the Shire Hall and are not relevant to this article. Part I of the Act contains eight preliminary sections; Pt. III, twelve sections relating to lands; Pt. IV, forty-nine sections relating to highways under the sub-headings New Streets, Verges and Trees, Improvements, Stopping Up, Erections, etc., in Highways, Protection of Highways, Private Streets, Footpaths, and Miscellaneous. Part V contains twelve sections on open spaces and pleasure grounds giving, *inter alia*, powers to prohibit movable dwellings in certain areas and to make byelaws as to camping grounds, pleasure fairs and roller skating rinks. Part VI contains seventeen sections on public entertainments, order and safety, giving powers, *inter alia*, to license boxing and wrestling and to make byelaws for private hire vehicles; it contains an interesting sign of progress, for one section amends the Steam Whistles Act, 1872, by the substitution in that Act of the words "mechanically operated whistle, trumpet, siren or hooter" for the words "steam whistle or trumpet." Part VII contains sixty-four sections relating to public health under the sub-headings Sewers and Drains, Conveniences, Refuse, Verminous Premises, etc., Buildings and Structures (with power to make byelaws for lighting staircases), Nuisance, Infectious Diseases, Food (including power to require the registration of hawkers), Animals and Meat (including power to make byelaws as to animal feeding meat), Rivers and Streams, and Miscellaneous (including power to require the registration of hairdressers and barbers). Part VIII has fifteen sections on weights and measures; Pt. IX has three sections on superannuation, pensions, etc.; Pt. X has twenty-one sections on finance; Pt. XI has seven sections on lectures, cultural activities, records, etc.; Pt. XII has twenty-two sections under the head of Miscellaneous; Pt. XIII contains various protective provisions for the Crown statutory undertakers and others; while the last part, Pt. XIV, contains a number of general and supplementary sections.

Altogether a very considerable body of law, and the reader might be forgiven for thinking how dangerous and insanitary it must be to live in any one of the thirty-three counties in England and Wales whose councils have not so far promoted any private Bill. According to a memorandum submitted to the Joint Committee by the Clerk to the House of Commons and the Clerk of Private Bills, House of Commons, during the forty years since the end of the First World War over 1,000 private Bills were promoted by local authorities, of which over 700 were promoted by municipal corporations, seventy-nine by county councils, 135 by urban district councils, and seventeen by rural district councils, though it must be appreciated that most of these would not be on the scale of the Gloucestershire Act.

Obtaining a private Act

It is not the purpose of this article to detail the procedure on the promotion of a private Bill, but it is important for an understanding of some of the problems that the main hurdles over which a Bill has to go should be mentioned.

Bills, which are drafted by the promoters' parliamentary agents, are normally deposited in November of each year, the attention of the public being drawn to their provisions by advertisements required by Standing Orders. Basically they have to pass through the same stages in each House as a public general Bill and receive the Royal Assent, but the main test of their contents comes at the Committee stage. Prior to this stage it will have been open to persons or bodies who consider their interest prejudiced by any provision in

a Bill to present petitions against it; the Bill will also have been examined by the various Government departments and considered by Counsel to the Speaker in the House of Commons and by Counsel to the Lord Chairman of Committees in the House of Lords. It is, however, not open to a resident in the area of the promoting authority to petition against the Bill unless he is adversely affected in some special way, e.g., he is an ironmonger and there is a clause authorising the authority to trade in ironmongery, as he is deemed to be bound by the common seal of the authority on the petition for the Bill. It is very rare for any private individual to petition against a general powers Bill, but such a Bill is always carefully scrutinised by parliamentary agents on behalf of national associations of many different kinds and negotiations for amendments or protective provisions, or, failing agreement, petitions from such associations are by no means unusual. Nearly always in the case of general powers provisions such petitions are settled by agreement, with the result that the Bill is unopposed in Committee.

If any petition is undisposed of counsel are heard for and against the relevant provision and evidence is adduced, but, assuming that the Bill is unopposed, it only remains for the promoters to prove their need for the provisions which they are seeking and to deal with any criticisms in the reports of the Government departments or which may be raised in Committee. The degree of proof required may vary. A large number of clauses in general powers Bills are based on precedents in earlier Bills which have already passed into law, others may be based on precedents but contain modifications, while yet others may be completely new. Where a clause has passed into law on a number of occasions it may find its way into a published book of Model Clauses prepared under the supervision of the Chairman of Ways and Means and the Lord Chairman of Committees, but such a clause will not necessarily be allowed automatically nor need its form necessarily be followed. It is for the Committee to decide the degree of proof required for any particular clause. The Joint Committee in their report concurred in the view which had been expressed to them that proof must be specific and detailed in the case of those clauses at least which (i) create offences and impose penalties; (ii) are unprecedented; or (iii) apply generally to all local authorities in a county but seem, prima facie, to be appropriate only to a few, while they stated that, conversely, there are certain well-precedented clauses for which the need may be regarded as obvious by a committee, and these, they said, are in many cases allowed without discussion.

So much then for the content of general powers Acts and the procedure by which they are obtained. What are the criticisms and are they justified?

Disadvantages and advantages of private Bill legislation

First, it is said in relation to draftsmanship (in the Memorandum submitted to the Joint Committee by Counsel to the Lord Chairman) that "It is not, therefore, surprising that private Acts as a whole are more unsatisfactory than Public General Acts. They tend to be more ambiguous, and to leave more loose threads. So far as they are right when they come into force, they are liable to be made wrong by the next Public General Act that covers any part of their ground." This is not expressed as a criticism of the work of parliamentary agents, but is directed to the fact that they have neither the time nor the resources, such as elaborate indexes of existing public statute law, available to the draftsman of a Government Bill.

Secondly, it is said that the lack of publicity attendant upon the private Bill procedure and the difficulty and expense which a private individual would have in objecting to a Bill, when compared with the glare of Press and other publicity and detailed consideration clause by clause to which a public general Bill is subjected in Committee, is a grave disadvantage to the citizen whose rights and liberties are being modified.

Thirdly, it is said that if private Bill legislation increases in quantity, as it appears to be doing, and particularly if Bills are deposited on the scale of the Kent Bill, it becomes impossible to secure sufficient and proper consideration by the parliamentary machine.

Fourthly, it is said that provisions which are applicable equally to all areas of the country should not be the subject of private Bill legislation but should await a public general Act.

Fifthly, it is said that the practice whereby county councils obtain powers not only on their own behalf but also on behalf of district and parish councils, in relation to matters in which the county council have no direct interest, is objectionable on the grounds that it is a principle that a petitioner for a Bill may petition only on his own behalf, that the practice renders satisfactory proof of need impossible, and that so far as boroughs and urban districts in the county are concerned it circumvents the requirement in s. 255 of the Local Government Act, 1933, that a town's meeting be held to approve the promotion of the Bill and, if demanded, a poll of local government electors.

Sixthly, and lastly, it is said that the resulting mass of private legislation is such that it is impossible to find out what the law is, and that its consolidation and reduction into a reasonable form would be an overwhelming task.

The great advantage of private Bill legislation is the same as that of legislation by byelaw already mentioned, namely, that it enables problems to be dealt with with a speed which could never be hoped for if they had to be the subject of a public general Act, and to be dealt with first in those areas where they are most serious.

The Joint Committee were concerned primarily with the obtaining of powers by county councils on behalf of county district councils and parish councils (head 5 of the objections above), and their consideration of the other objections was largely incidental to this. In the result the Committee came to the conclusion that no principle was infringed by a Bill giving such powers, that such legislation might well be a matter of general convenience, and that provided demand by a county district council or parish council were proved by a resolution passed by an absolute majority of the council after adequate advertisement in the local Press and provided standing orders were amended to give increased publicity in each district or parish to the clauses conferring powers on the district or parish council concerned, there was no objection to the conferment by a county council Bill of powers on such other authorities. Nevertheless the Committee shared the concern of witnesses at the prospect of a further increase in legislation of this kind. They concluded that "the true remedy lies outside their order of reference, partly in the field of public legislation and partly in the restraint, moderation and good sense of all concerned in the promotion of private Bills."

The Highways Act, 1959, made a modest start in the translation of provisions from local to general law, since it includes sections based on four of the private Bill model clauses. The Government have forecast the early introduction of two "clauses" Bills on public health and local government, while other legislation is in prospect on weights

and measures and land drainage. It is, however, too much to expect that Parliamentary time, or indeed central Government initiative, will be forthcoming in sufficient measure to obviate the desirability of the deposit by local authorities of general powers Bills, though for a time these may well be on a reduced scale.

As, therefore, a substantial body of local law will remain it is appropriate to consider further two of the heads of criticism which are of particular concern to the reader, namely, the first (draftsmanship) and sixth (inaccessibility) heads mentioned above.

(To be concluded) R. N. D. H.

ADMISSIBILITY OF "HEARSAY"

WHEN Samuel Weller was called to give evidence in the celebrated case of Bardell *v.* Pickwick, he admitted that he was in the "wery good service" of Mr. Pickwick. This led Serjeant Buzfuz to say, with jocularity: "Little to do, and plenty to get, I suppose?" to which Sam replied: "Oh, quite enough to get sir, as the soldier said when they ordered him 350 lashes." Mr. Justice Stareleigh then interposed: "You must not tell us what the soldier, or any other man, said, sir, it's not evidence."

Sam did not challenge the learned judge's ruling, but had he done so, it would seem that his lordship would have had little difficulty in finding authority to support his view that a statement made by a person not called as a witness is inadmissible to prove the truth of the fact stated. For example, in the *Berkeley Peerage Case* (1811), 4 Camp. 401, Mansfield, C.J., said that by "the general rule of law, nothing that is said by any person can be used as evidence between contending parties, unless it is delivered upon oath in the presence of those parties . . . in England, where the jury are the sole judges of the fact, hearsay evidence is properly excluded, because no man can tell what effect it might have upon their minds." Of course, as Mansfield, C.J., recognised, there are several exceptions to the general rule that hearsay is inadmissible and an example of these may be found in the case of statements or declarations made by a testator concerning his will: see *Sugden* v. *Lord St. Leonards* [1876] 1 P.D. 154.

Application of the general rule

The application of the general rule as to the inadmissibility of hearsay is well illustrated by *Teper* v. *R.* [1952] A.C. 480, a decision of the Judicial Committee of the Privy Council. The defendant was convicted of maliciously setting fire to his shop, but at the trial a police constable, when giving evidence of identification, said: "I heard a woman's voice shouting, 'Your place burning and you going away from the fire'; immediately then a black car" came from the direction of the fire, and "in the car was a fair man resembling accused. I did not observe the number of the car." The woman was not identified and was not called as a witness, and the defendant contended that the evidence was hearsay, inadmissible and prejudicial. This contention found favour with the Board and Lord Normand said that when reduced to its admissible limits, the constable's evidence would have been that in consequence of something which he heard his attention was directed to a black car driven by a man who resembled the defendant. In the circumstances of the case, his lordship thought that such evidence was useless to identify the defendant and as the jury might well have been unduly influenced by the evidence which was actually given by the constable, the Board decided that the verdict could not stand.

However, words spoken or written by a third party are not always hearsay and may be original and independent facts, admissible in proof of the issue, and if the courts are asked to decide whether a party has acted prudently, wisely or in good faith, the information on which he acted, whether true or false, is original and material evidence: see Taylor on Evidence, 12th ed., p. 366. Thus in the American case of *Monaghan* v. *Cox* (1892), 31 Am. St. Rep. 555, an action for damages for malicious prosecution, it appeared that the defendant had charged the plaintiff with breaking into and entering his (the defendant's) dwelling-house in the night-time with intent to commit larceny. In order to succeed in the civil proceedings, the defendant was required to prove that the criminal prosecution was in fact instituted in good faith and upon probable cause and he sought to show that he went to a magistrate of the district court for the purpose of obtaining a search warrant and that, acting in accordance with the magistrate's advice, he made the complaint under which the prosecution took place.

Advice of magistrate admissible

The question before the court was whether evidence that the defendant acted under the advice of the magistrate should have been admitted and Barker, J., could see no good reason why such evidence should be inadmissible upon the question of probable cause. His lordship thought that it was a circumstance which tended to show that the prosecutor had acted in good faith and with probable cause for his action, and that the jury should be allowed to consider it, and to give it such weight as it might deserve. An English court applied a similar rule in *Ravenga* v. *Macintosh* (1824), 2 B. & C. 693, an action for damages for malicious arrest, where Bayley, J., acceded to the proposition that if a party lays all the facts of his case fairly before counsel, and acts bona fide upon the opinion given by that counsel (however erroneous that opinion may be), he is not liable to an action of this description. However, the jury found that the defendant had not acted bona fide and that he did not believe that he had any cause of action whatever. For this reason, the plaintiff recovered damages as the court felt bound to say the defendant did not have a reasonable or probable cause of action.

Words spoken by persons not called as witnesses were held to be admissible in *Subramaniam* v. *Public Prosecutor* [1956] 1 W.L.R. 965, an appeal from the Supreme Court of the Federation of Malaya (Court of Appeal). The appellant was found in a wounded condition by members of the security forces operating against the terrorists. He was tried on a charge of being in possession of ammunition contrary to the emergency regulations and he put forward the defence, *inter alia*, that he had been captured by the terrorists and that at all material times he was acting under duress. The appellant sought to give evidence, in describing his capture, of what the terrorists had said to him, but the trial judge ruled that evidence of the conversation with the terrorists was not admissible unless they were called as witnesses.

When statements admissible

The Judicial Committee took the view that the trial judge was in error in ruling out peremptorily the evidence of conversation between the terrorists and the appellant and Mr. L. M. D. De Silva, who gave the advice of the Board, said: " Evidence of a statement made to a witness by a person who is not himself called as a witness may or may not be hearsay. It is hearsay and inadmissible when the object of the evidence is to establish the truth of what is contained in the statement. It is not hearsay and is admissible when it is proposed to establish by the evidence, not the truth of the statement, but the fact that it was made. The fact that the statement was made, quite apart from its truth, is frequently relevant in considering the mental state and conduct thereafter of the witness or of some other person in whose presence the statement was made." Thus the words of the terrorists, unlike the words of the soldier in Bardell *v.* Pickwick, were admissible to prove the state of mind of the appellant.

This principle was applied by the Court of Criminal Appeal in the recent case of *R.* v. *Willis* [1960] 1 W.L.R. 55. The appellant was a director of a firm of scrap metal dealers and he was charged jointly with one Napper, an " outside foreman," with the larceny of a drum of cable from the Atomic Energy Authority at Aldermaston. The cable had been taken from Aldermaston and delivered two days later to one of the firm's customers at Watford. The appellant said that he was totally ignorant of the fact that a drum of cable had been taken from Aldermaston and that he was first made suspicious by a telephone conversation with the customer's buyer a few hours after the cable had been delivered. At the trial the prosecution commented upon the appellant's failure candidly to inform the police of these suspicions and the appellant sought to explain this failure by giving evidence of the content of a conversation with Napper which took place shortly before the appellant's interviews with the police. The prosecution objected to this evidence and the deputy chairman of the Berkshire Quarter Sessions (Judge Duveen, Q.C.) ruled that it was inadmissible as the appellant's state of mind after the conversation was not relevant, in the sense required to render the evidence admissible. Neither the defence nor the prosecution called Napper and the jury never heard evidence of the content of the conversation.

Statement wrongly excluded

The appellant appealed against his conviction upon the grounds, *inter alia*, that the deputy chairman was wrong in ruling that the appellant's evidence of his conversation with Napper was inadmissible, that the appellant was prevented thereby from giving a full explanation of his state of mind when subsequently interviewed by the police, and that in consequence the deputy chairman in his summing-up improperly stressed the appellant's failure to inform the police that the drum of cable had been delivered by Napper to the customer at Watford. The Court of Criminal Appeal was informed by counsel for the appellant that in the course of the conversation with Napper the appellant was told by him that he (Napper) was not guilty of any offence, and that he had never taken any cable to the customer at Watford at all.

The judgment of the Court of Criminal Appeal (Lord Parker, C.J., Hilbery and Salmon, J.J.) was delivered by Lord Parker, C.J., and his lordship said that the deputy chairman's ruling upon the admissibility of the appellant's conversation with Napper was wrong. The court believed it to be " quite clear that evidence of what has been said by a person who is not called as a witness may be perfectly good evidence of the state of mind in which the defendant was " and their lordships thought that the decision of the Privy Council in *Subramaniam* v. *Public Prosecutor*, *supra*, supported this finding. It is true that there the Board were considering the state of mind and conduct of the defendant at the time of the commission of the offence but Lord Parker, C.J., said that, provided the evidence as to the defendant's state of mind and conduct is relevant, it matters not whether it is in regard to his conduct at the time of the commission of the offence or, as in *R.* v. *Willis*, *supra*, at a subsequent time, to explain his answers to the police and his conduct when charged.

Importance of *R.* v. *Willis*

Although the Court of Criminal Appeal held that the evidence of the conversation between the appellant and Napper had been wrongly excluded, their lordships dismissed the appeal under the proviso to s. 4 (1) of the Criminal Appeal Act, 1907. However, that is another matter. For present purposes, *R.* v. *Willis*, *supra*, is important because it underlines the fact that evidence of a statement made to a witness by a person who is not himself called as a witness will not necessarily be excluded as hearsay. The words of the terrorists and the " outside foreman " were relevant and admissible and, with respect to Mr. Justice Stareleigh, it is clear that there may be circumstances in which what the soldier, or any other man, said is evidence.

D. G. C.

" THE SOLICITORS' JOURNAL," 21st APRIL, 1860

ON the 21st April, 1860, THE SOLICITORS' JOURNAL wrote: " At a comparatively recent date, the Queen's Counsel practising in courts of equity came to an arrangement that each should select, and for the future confine his practice to, some particular court of first instance; and that he should not accept business elsewhere, unless in a court of appeal, except upon being specially retained. This arrangement, if not suggested by solicitors, has certainly met with their approval, having been found very convenient in practice, and any return to the old system of leading counsel accepting business in every court would now be regarded generally as altogether undesirable. In the great majority of cases—unlike the existing state of things in the courts of common law—a client in a Chancery suit may feel pretty certain of having his leading counsel present during the entire hearing of his case; and this is entirely owing to the arrangement . . . Indeed, so completely satisfactory has it been found in its operation, that it has been suggested whether some similar plan might not be adopted in the case of junior equity counsel in large practice . . . There is no question that such a step on the part of juniors would be considered as advantageous to the interests of solicitors and their clients. Our attention, however, has been called to the fact that of late there appears to be some disposition on the part of a few members of the Inner Bar to put an end to the arrangement so far as it affects them; and inasmuch as any considerable secession from the ranks of those who have acceded to it will probably have the effect of bringing about the old system, we desire to call the attention of our readers to the subject and to invite their remarks upon it."

Landlord and Tenant Notebook

INCIDENCE OF NUISANCE ABATEMENT NOTICES

THE public health committee of a certain metropolitan borough recently reported to its council that, as soon as a "public nuisance notice" was served, the property changed hands "and the notice became invalid"; and recommended that the metropolitan boroughs' standing joint committee be asked to make representations to obtain amending legislation which would provide that a nuisance notice under the Public Health (London) Act, 1936, be not invalidated by a change of ownership.

There are some minor differences between the statutory notice provisions of the London Act and those of the Public Health Act, 1936, but for present purposes they are not important. The remedial provisions of the London Act go into rather more detail, and as the report and recommendations, which were "news" in several daily papers, were made by a committee of a metropolitan borough, I propose to discuss the position as it is dealt with in the Act which that committee (and the council, which accepted the recommendation) wish to see amended.

"A nuisance notice"

The Public Health (London) Act, 1936, Sched. V, para. 4, concludes with: "A notice authorised to be served under this paragraph is in this Schedule referred to as 'a nuisance notice'."

The Schedule owes its existence to s. 282 (5) of the Act:—

> "The provisions of the Fifth Schedule to this Act shall have effect for the purpose of preventing and abating any nuisance which by virtue of any of the provisions of this Act may be dealt with summarily under this Act."

Its third paragraph directs that a written "intimation" be served "on a person who may be required to abate the nuisance"; then, by the above-mentioned para. 4, a sanitary authority ("as respects a borough, the council of that borough": s. 1 (2) (*c*)), if satisfied of the existence of an alleged nuisance, shall—

> "serve on the person by reason of whose act, default or sufferance the nuisance arose or continues, or (if that person cannot be found) on the occupier or owner of the premises on which the nuisance exists, a notice requiring him to abate the nuisance within the period specified in the notice, and to do such things as may be necessary for that purpose . . . Provided that, where the nuisance arises from any want or defect of a structural character, or where the premises are unoccupied, the notice aforesaid shall be served on the owner of the premises."

The paragraph goes on to provide for preventive measures to be ordered if the authority thinks fit.

"Owner" is defined in s. 304 (1): the person for the time being entitled to receive the rack rent or who would be so entitled if the premises were let at a rack rent (which is itself defined in the same subsection: a rent not less than two-thirds of the annual value, etc.). While the premises which have been causing the particular council so much concern are, though not in the main overcrowded, anything but unoccupied, and though the committee reported that they are not unfit for dwelling, it seems that notices had been served on landlords and that the view was held that such notices had been invalidated on the properties changing hands. I shall, therefore, proceed to consider what consequences flow from non-compliance with nuisance notices.

Non-compliance

After para. 5 has authorised the authority, if the person causing the nuisance cannot be found and it is clear that the nuisance was not one due to any act, default or sufferance on the part of occupier or owner, to abate the nuisance itself, paras. 6 and 7 create distinct remedies.

By para. 6, non-compliance makes the culprit liable to a fine: maximum £10 except for a smoke nuisance, when it is £50; and this whether an order is made under para. 7 or not.

Under para. 7, the sanitary authority is, if the person served with the notice fails to comply with it, or if though abated it is likely to recur, to seek a nuisance order in a petty sessional court. Paragraph 8 divides nuisance orders into four kinds: abatement, prohibition, closing and combined; I propose to limit discussion to the simple abatement variety. This is an order which—

> "may require a person to comply with all or any of the requirements of the nuisance notice in connection with which the order is made, or otherwise to abate the nuisance within the period specified in the order."

The sanction is to be found in para. 12:—

> "If any person fails to comply with an abatement order, then . . . he shall unless he proves that he has used all due diligence to carry out the order, be guilty of an offence and liable to a fine not exceeding, in a case where the order relates to a smoke nuisance 40s., or in any other case 20s., for every day on which the offence continues."

Then, after several paragraphs concerned with appeals, we find that para. 16, primarily concerned with rights of entry and inspection, says that the sanitary authority

> "where a nuisance order . . . has been contravened or not complied with, may, for the purpose of executing the order, enter the premises at all reasonable hours . . ."

and finally:—

> "The sanitary authority may enter the premises to which a nuisance order relates and may abate or remove the nuisance and do whatever is necessary in the execution of the order."

Expenses

Of some importance—theoretical importance, at all events—is a right conferred by para. 18. The paragraph first bestows upon "the reasonable expenses incurred in obtaining or enforcing the order or making the complaint . . . or serving the nuisance notice" the character of "money paid for the use, and at the request, of the person against whom the order was made"; then does the same for the reasonable expenses of serving notice or making complaint when no order is made, but the nuisance is proved to have existed when the nuisance notice was served. And "Any sum recoverable by virtue of this paragraph from any person being the owner of any premises may be recovered from the *owner for the time being* of those premises."

Impotentia excusat

To say that a nuisance order is invalidated by a change of ownership is, I would submit, not accurate; but from the practical point of view the utterance may be regarded as a pardonable overstatement, for, though the person served remains responsible, and liable to penalties for not discharging

his responsibility, he is a moving target; it may not always be practical politics for an authority to do the work itself and charge the offender's successor; and the throwing of good money after bad does not commend itself to the electorate.

If the borough's public library contains a copy of Coke-upon-Littleton, opposition to the proposals may be anticipated by consulting chap. 4, s. 35, in which Littleton made a widower's right to an estate by curtesy dependent on whether he had entered and obtained seisin, but Coke added that there were two kinds of seisin: in deed and in law, so that if the wife were to have died before she, and consequently before her husband, could enter, he was still qualified: "And here Littleton intendeth a seisin in deed *if it may be attained to*. If . . . the wife before the rent became due . . . dieth, she had but a seisin in law, yet he shall bee tenant by the curtesie, because he could by no industry attaine to any other seisin, *et impotentia excusat legem*."

R. B.

HERE AND THERE

WOMEN AT LAW

THE appearance of the name of one of the most able and effective women at the Bar in the new list of Queen's Counsel may well suggest a questioning and a stock-taking. In what position have women established themselves since they were admitted to the legal profession thirty-eight years ago? Women who were not yet born in that memorable year 1922 have had time to qualify and long years to translate qualification and theory into practice. Yet, as a matter of simple fact, they have made relatively little impact on either of the branches of the legal profession on which they have so gracefully alighted. Both in the Inns of Court and at The Law Society the male is still cock of the walk. A metropolitan magistracy here, a recordership there, constitute the highest public recognition of the presence of the women. And the little cries of surprise and delight with which these honours are greeted in the newspapers indicate a general conviction, after all these years of female emancipation, that the surprising thing about female practice of the law is less that it should be done well than that it should be done at all. The journalists, of course, have never been able to resist the "sex angle," any more than they could steel themselves against the temptation to misapply to the girls at the Bar the stale old *cliché* of calling them all "Portia," as if Shakespeare's charming once-in-a-lifetime impostor had anything in common with the tenacious young women who, having slaved for years at examinations, would (quite correctly) be just as ready to accept Shylock's brief as Antonio's. What the women have suffered from the newspapers! Not many years ago one of the picture dailies somehow got hold of a photograph of a very nice-looking girl about to be called to the Bar. Houri-like in a low *décolleté* and a jewelled necklace, she reclined seductively on a divan with a caption about the girl who could be a beauty queen "pitting her brains against the best in court." The photograph revealed far more tangible assets than brains. If you care to imagine a male candidate for the Bar represented draped, say, in a tiger skin and similarly posed, you may see how much professional good that sort of notice was likely to do any lady at the Bar.

FEMINIST START

PERHAPS it was a misfortune for the women at the Bar that in their early days of self-establishment the most vocal champion of their rights was so emphatic a feminist as the late Mrs. Helena Normanton. By the time she reached the Inner Bar her enormous bulky figure and round spectacled face was the very picture of the female "silk" as Dickens might have imagined her. She was a nice, kind old soul and a terrific personality. Although her actual practice was never overwhelming, she did achieve a certain standing as a mother figure at the Bar. She was proud that within three weeks of her call she held a brief in the High Court and received a delighted letter from a Member of Parliament; he had won a bet made with a silk who had wagered that no woman would be briefed in the High Court in their lifetimes. Mrs. Normanton was not in person or in convictions one to melt into the landscape and it might have been better for women barristers if they had been able to blend themselves with the legal background gradually, unobtrusively and naturally, arousing the minimum of opposition and prejudice. A feminist who refused to adopt her husband's name for any purpose was not perhaps the sort of pioneer to introduce the far more subtle feminine element into advocacy (which, after all, is really persuasion in public, and women are pretty good at that in private).

LOSS AND GAIN

IT is too late to ask now what women have gained or what the legal profession has gained by this particular fusion. A number of highly intelligent women and some less intelligent have found congenial employment. But is that the last word in such a matter? Life has its own form and its own rhythm and that form and that rhythm correspond to the psychological and physiological differences between the sexes. Historically it is a very recent experiment that society should not follow that form and that rhythm but should hang so loosely together that anyone may in theory, at any rate, do anything that he or she may happen to feel inclined to do. It is rather like pouring the port into the sherry, the beer into the cider and the coffee into the tea, unless, of course, you choose to regard human beings as interchangeable parts of a machine. But there was more than that to the idea of the "emancipation" of women. It was the conviction that the domestic is the dullest of all environments, that to grind away at a syllabus for other people's children is a brighter prospect than to introduce the whole world to your own, that to bury yourself among White Papers at Westminster or under files of legal documents in Lincoln's Inn or the Temple is somehow more satisfying than being the arbiter of truth and justice to those representatives of the future on whom you have yourself bestowed the present. It is usually glossed over by the emancipators that if absolute equality of opportunity is really sound, it imports the equality of opportunity to be butchers, coal miners, dockers and sewer-workers, too. But though, no doubt, there are some women whose physique might fit them for these honourable, if laborious, employments, the female sex has not shone conspicuously in their exercise. So, too, in the law; if women have only made a limited penetration into the profession, it is not for lack of intelligence; there are plenty of able and intelligent people, men and women, who

have not the shape of mind for legal practice. Women, generally, have not, I suspect, fallen into the fallacy of imagining that public affairs are more important than private affairs. It is to protect private affairs that public affairs exist at all, as the wall encloses the garden or formerly enclosed the city. The scramblers for power naturally forget all this, but if only the domestic virtues flourish, the most sweeping schemes of social reorganisation will do comparatively little harm, and whether the domestic virtues flourish or perish is in the hands of the women at home.

RICHARD ROE.

CORRESPONDENCE

[The views expressed by our correspondents are not necessarily those of "The Solicitors' Journal"]

Local Law

Sir,—In an article under the heading "Local Law," at p. 297 of your issue dated 15th April, it is said that since the passing of the Road Traffic Act, 1956, the Secretary of State is no longer prepared to confirm byelaws on the subject of cycling on footpaths. This is generally correct, but byelaws on this subject may still be made by a borough council having a population of less than 20,000, for such an authority cannot make an order under the Road Traffic Act. After pressure from the local authority associations, the Home Secretary has agreed to confirm proper byelaws in these circumstances and my own council has recently made some of these byelaws.

This is, in my opinion, one of the very best examples of necessary local legislation; who but the local authority could decide where cycling can, and should not, be permitted on a footpath?

J. F. GARNER,
Town Clerk.

Andover,
Hampshire.

Local Searches

Sir,—In the SOLICITORS' JOURNAL for 1st April, p. 263, you make a comment that no reader has expressed views on your article containing suggestions about local land charges published at 103 SOL. J. 910.

It may be that a considerable number of solicitors favour the suggestions contained in the article.

I, for one, find delay in completion of conveyancing matters arises in connection with the searches made with county councils. I am in favour of one search being made with the district council or borough offices. That, surely, would be effective as including any matters which the county council should register. A note of such matters could be sent to the borough or district councils. This would obviate plans, under the present system, which are required by county councils and it would also obviate paying two sets of fees.

A. E. HAMLIN.

Sheringham,
Norfolk.

BOOKS RECEIVED

The Legal Profession. Fifth Edition. By PETER ALLSOP, M.A., of Lincoln's Inn, Barrister-at-Law. pp. x and (with Index) 138. 1960. London: Sweet & Maxwell, Ltd. 10s. 6d.

Jackson and Muir Watt: Agricultural Holdings. Second Cumulative Supplement to the Eleventh Edition (to 1st January, 1960). By J. MUIR WATT, M.A., of the Inner Temple, Barrister-at-Law. pp. x and 33. 1960. London: Sweet & Maxwell, Ltd. 7s. 6d. net.

The Law and Practice of Divorce and Matrimonial Causes including proceedings in magistrates' courts. Third Cumulative Supplement to the Fourth Edition (to 31st December, 1959). By D. TOLSTOY, Q.C., of Gray's Inn and the South-Eastern Circuit. pp. vii and 71. 1960. London: Sweet & Maxwell, Ltd. 7s. 6d. net.

A First Book of English Law. Fourth Edition. By O. HOOD PHILLIPS, B.C.L., M.A. (Oxon), of Gray's Inn, Barrister-at-Law. pp. xxv and (with Index) 316. 1960. London: Sweet & Maxwell, Ltd. £1 1s. net.

The Law relating to Caravans. By ROLAND J. RODDIS, L.M.T.P.I., of the Middle Temple, Barrister-at-Law. pp. xix and (with Index) 159. 1960. London: Shaw & Sons, Ltd. £1 10s. net.

Contracts and Conditions of Sale of Land. First Supplement to the Second Edition (to 31st January, 1960). By E. O. WALFORD, LL.D. (Lond.), Solicitor. pp. 25. 1960. London: Sweet & Maxwell, Ltd. 6s. net.

Insurance. By HAROLD E. RAYNES. pp. (with Index) 202. 1960. London: Oxford University Press. 8s. 6d. net.

THE SOLICITORS ACT, 1957

On 23rd April, 1959, an order was made by the Disciplinary Committee constituted under the Solicitors Act, 1957, that the name of ALFRED BIEBER, of No. 1, Finsbury Circus, London, E.C.2, be struck off the Roll of Solicitors of the Supreme Court and that he do pay to the complainant his costs of and incidental to the application and inquiry. Leave to appeal to the House of Lords having been refused, the order came into operation on 29th March, 1960.

On 16th December, 1959, an order was made by the Disciplinary Committee constituted under the Solicitors Act, 1957, that the name of WILLIAM JOHN CORNISH, of No. 3 New Quebec Street, London, W.1, be struck off the Roll of Solicitors of the Supreme Court and that he do pay to the complainant his costs of and incidental to the application and inquiry. An appeal to the Court of Appeal having been dismissed, the order came into operation on 6th April, 1960.

On 7th April, 1960, an order was made by the Disciplinary Committee constituted under the Solicitors Act, 1957, that the name of ROMY FINK, of Southampton House, No. 317 High Holborn, London, W.C.1, No. 62 Grove Hall Court, London, N.W.8, and No. 74 Hodford Road, London, N.W.11, be struck off the Roll of Solicitors of the Supreme Court, and that he do pay to the applicant his costs of and incidental to the application and inquiry.

On 7th April, 1960, an order was made by the Disciplinary Committee constituted under the Solicitors Act, 1957, that THOMAS UMPLEBY LIDDLE, of No. 21 Church Street, Clitheroe, The Square, Whalley near Blackburn, and No. 25 Railway Road, Darwen, be suspended from practice as a solicitor for a period of one year from 1st May, 1960, and that he do pay to the applicant his costs of and incidental to the application and inquiry.

IN WESTMINSTER AND WHITEHALL

ROYAL ASSENT

The following Bills received the Royal Assent on 13th April:—

First Offenders (Scotland).
Gas.
Glasgow Corporation Consolidation (General Powers) Order Confirmation.
Iron and Steel (Financial Provisions).
Legal Aid.
Marriage (Enabling).
Pawnbrokers.
War Damage (Clearance Payments).

HOUSE OF LORDS

PROGRESS OF BILLS

Read First Time:—

Saint Martin's Parish Church Birmingham Bill [H.C.] [11th April.
Saint Peter's Church Nottingham (Broad Marsh Burial Ground) Bill [H.C.] [11th April.

Read Second Time:—

Bala to Trawsfynydd Highways (Liverpool Corporation Contribution) Bill [H.C.] [13th April.
Building Societies Bill [H.L.] [12th April.
Cornwall County Council Bill [H.C.] [13th April.
Films Bill [H.L.] [12th April.
Saint Peter Upper Thames Street Churchyard Bill [H.C.] [13th April.
Southend-on-Sea Corporation Bill [H.L.] [13th April.

Read Third Time:—

Bournemouth Corporation Bill [H.L.] [12th April.
Charities Bill [H.L.] [12th April.
London County Council (General Powers) Bill [H.L.] [12th April.
Southampton Corporation Bill [H.L.] [12th April.

In Committee:—

Highlands and Islands Shipping Services Bill [H.C.] [11th April.
Occupiers' Liability (Scotland) Bill [H.C.] [11th April.

HOUSE OF COMMONS

PROGRESS OF BILLS

Read First Time:—

Finance Bill [H.C.] [12th April.
To grant certain duties, to alter other duties, and to amend the law relating to the National Debt and the Public Revenue, and to make further provision in connection with Finance.

Race Discrimination Bill [H.C.] [12th April.
To make illegal discrimination to the detriment of any person on the grounds of colour, race and religion in the United Kingdom.

Read Second Time:—

London and Surrey (River Wandle and River Graveney) (Jurisdiction) Bill [H.L.] [11th April.
Road Traffic and Roads Improvement Bill [H.C.] [11th April.

Read Third Time:—

Population (Statistics) Bill [H.L.] [12th April.

STATUTORY INSTRUMENTS

Act of Sederunt (Fees of Messengers at Arms), 1960. (S.I. 1960 No. 691.) 5d.
Act of Sederunt (Legal Aid Rules), 1960. (S.I. 1960 No. 692.) 5d.
Air Navigation (General) (Fifth Amendment) Regulations, 1960. (S.I. 1960 No. 669.) 10d.
Bromyard Rural District Water Order, 1960. (S.I. 1960 No. 642.) 4d.
Chelmsford (Water Charges) Order, 1960. (S.I. 1960 No. 645.) 4d.
Draft **Coal Mines** (Training) (Variation) Regulations, 1960. 5d.
Diving Operations Special Regulations, 1960. (S.I. 1960 No. 688.) 6d.
East Worcestershire Water Orders, 1960:—
Borough of Droitwich. (S.I. 1960 No. 661.) 6d.
Chapmans Hill. (S.I. 1960 No. 643.) 5d.
Droitwich Rural. (S.I. 1960 No. 662.) 7d.
Gloucester Corporation Water Order, 1960. (S.I. 1960 No. 663.) 5d.
Grass and Clover Seeds General Licence, 1960. (S.I. 1960 No. 677.) 5d.
Great Ouse River Board (Buckingham Internal Drainage District) Order, 1959. (S.I. 1960 No. 689.) 5d.
Guildford, Godalming and District Water Board Order, 1960. (S.I. 1960 No. 660.) 7d.
Hill Sheep (Scotland) Scheme, 1960. (S.I. 1960 No. 672.) 6d.
Hill Sheep Subsidy Payment (Scotland) Order, 1960. (S.I. 1960 No. 673.) 4d.
London-Edinburgh-Thurso Trunk Road (Biggleswade-Old Warden Road Junction Improvements) (Revocation) Order, 1960. (S.I. 1960 No. 681.) 4d.
London-Edinburgh-Thurso Trunk Road (Ivel Bridge Diversion) (Revocation) Order, 1960. (S.I. 1960 No. 682.) 4d.
London Traffic (Prohibition of Waiting) (Hatfield) Regulations, 1960. (S.I. 1960 No. 670.) 5d.
Maidstone (Water Charges) (Oakwood Hospital) Order, 1960. (S.I. 1960 No. 646.) 4d.
Milk (Special Designations) (Specified Areas) Order, 1960. (S.I. 1960 No. 678.) 5d.
North Calder Water Board Order, 1960. (S.I. 1960 No. 664.) 1s. 5d.
North West Sussex Water (Weir Wood) Order, 1960. (S.I. 1960 No. 644.) 7d.
Personal Injuries (Civilians) (Amendment) Scheme, 1960. (S.I. 1960 No. 679.) 5d.
Retention of Cable under Highway (County of Norfolk) (No. 4) Order, 1960. (S.I. 1960 No. 683.) 5d.
Retention of Cables under a Highway (County of York, East Riding) (No. 1) Order, 1960. (S.I. 1960 No. 684.) 5d.
Savings Certificates (Amendment) Regulations, 1960. (S.I. 1960 No. 676.) 4d.
South West Suburban (Water Charges) Order, 1960. (S.I. 1960 No. 665.) 5d.
Stopping up of Highways Orders, 1960:—
County of Chester (No. 4). (S.I. 1960 No. 650.) 5d.
County of Chester (No. 6). (S.I. 1960 No. 671.) 5d.
County of Essex (No. 7). (S.I. 1960 No. 685.) 5d.
County of Lancaster (No. 5). (S.I. 1960 No. 651.) 5d.
City and County Borough of Leeds (No. 2). (S.I. 1960 No. 680.) 5d.
London (No. 22). (S.I. 1960 No. 652.) 5d.
London (No. 23). (S.I. 1960 No. 649.) 5d.
London (No. 24). (S.I. 1960 No. 686.) 5d.
County of Monmouth (No. 2). (S.I. 1960 No. 687.) 5d.
County of Stafford (No. 5). (S.I. 1960 No. 653.) 5d.
Wages Regulation (Cotton Waste Reclamation) Order, 1960. (S.I. 1960 No. 667.) 6d.

SELECTED APPOINTED DAYS

April
22nd Wages Arrestment Limitation (Amendment) (Scotland) Act, 1960.
25th Wages Regulation (Industrial and Staff Canteen) Order, 1960. (S.I. 1960 No. 615.)

May
2nd Rules of the Supreme Court (No. 1), 1960. (S.I. 1960 No. 545.) See p. 332, *post*.

NOTES OF CASES

The Notes of Cases in this issue are published by arrangement with the Council of Law Reporting, and, in general, full reports will be found in the Weekly Law Reports. Where possible the appropriate page reference is given at the end of the note

Judicial Committee of the Privy Council

COMMUNITY OF PROPERTY LAW: APPLICABILITY EXTRA-TERRITORIALLY

Callwood *v.* Callwood

Lord Tucker, Lord Jenkins and Lord Morris of Borth-y-Gest

21st March, 1960

Appeal from the Federal Supreme Court of the West Indies.

The testator, R. E. C. Callwood, at the date of his marriage to the respondent, Mrs. Else E. Callwood, in 1905, and thereafter down to his death in 1917, was domiciled in the Danish Island of St. Thomas in the Virgin Islands where (after cession of the Danish Virgin Islands to the United States of America in 1917) Danish law remained in force until 1921. The marriage had the effect under Danish law of subjecting the property of either spouse to the Danish system of community of property between spouses, and by a joint will of the testator and the respondent the latter was, *inter alia*, given the right, if she survived the testator, of retaining their joint estate undivided with their children. There was vested in the testator at the time of his death Great Thatch Island in the British Virgin Islands, and the appellant, Clifford W. L. Callwood, the only son of the testator and the respondent, was in 1948 granted a lease of that island by a man purporting to act as agent for the respondent. Although the lease was admittedly invalid as not having been executed in compliance with the formalities required by law, the appellant remained in possession. The respondent thereupon began this action claiming a declaration that by virtue of the joint will the island was her property. The appellant pleaded that the will was ineffective in so far as it related to real property situate in the British Virgin Islands, and that his father died intestate as regards Great Thatch Island, which devolved upon him as his heir at law. The only evidence of Danish community of property law, which was given by affidavit by an attorney practising in the Island of St. Thomas, was to the effect that the law as stated in the opinion of the court in the United States of America on a question between the same parties was "the law on this question" (*Callwood* v. *Kean* (1951), 189 F. 2d. 565). The trial judge ordered the appellant to give possession of Great Thatch Island to the respondent and to pay damages of $2,880. The Federal Supreme Court of the West Indies on 22nd July, 1958, affirmed that decision, but reduced the damages to $840. The appellant appealed.

LORD JENKINS, giving the judgment, said that the question whether the system of community of property between spouses in force in a given country was regarded by the law of that country as applying to immovables situated outside it was, for the purposes of proceedings in an English court, a question of foreign law, and therefore of fact, to be determined by competent evidence as to the law of the foreign country concerned (*In re De Nicols; De Nicols* v. *Curlier* (*No.* 2) [1900] 2 Ch. 410; *Chiwell* v. *Carlyon* (1897), 14 S.C. 61). The mode of proving evidence of foreign law in this case was to be strongly deprecated; the discussion of the Danish law of community in *Callwood* v. *Kean, supra*, was not concerned with the question in the present case, namely, whether in the eye of Danish law the property of spouses to which the rules of community attached included immovable property not situated in Danish territory but in that of a foreign State whose own law with respect to immovable property so situated did not include the Danish or any other system of community. The onus of proving that the Danish law had that extra-territorial effect was on the respondent, and there was nothing in the judgment in *Callwood* v. *Kean, supra*, which could be regarded as evidence that the Danish system of community in force in the Island of St. Thomas applied in the eye of Danish law to land situate in foreign territory. The respondent had, accordingly, failed to prove that Great Thatch Island formed part of the joint estate under the relevant Danish law. Appeal allowed, and action dismissed. The respondent must pay the costs in the courts below and of this appeal.

APPEARANCES: *J. G. Foster*, Q.C., *Mark Littman* and *C. A. Brodie* (*Herbert Smith & Co.*); *J. G. Le Quesne* and *Mervyn Heald* (*Zeffertt, Heard & Morley Lawson*).

[Reported by CHARLES CLAYTON, Esq., Barrister-at-Law] [2 W.L.R. 705

Court of Appeal

CHARTER-PARTY: IMPLIED TERM: SPECIAL PERMISSION TO LOAD REQUIRED

Compagnie Algérienne de Meunerie *v.* Katana Societa di Navigatione Marittima, S.P.A.

Hodson and Ormerod, L.JJ., and Gorman, J.

29th February, 1960

Appeal from Diplock, J. ([1959] 1 Q.B. 527; 103 SOL. J. 178).

On 23rd September, 1954, the Syrian Legislature, by decree, made certain provisions prohibiting trade with Israel, and as a result vessels which had called at Israeli ports were refused permission to anchor at Syrian ports, although such permission might be granted if their owners offered sufficient guarantees to the authorities against non-repetition of infringements of the boycotting provisions. By a charter-party dated 17th May, 1956, it was agreed that the *s.s. Nizetti* should "proceed to Lattakia [Syria] or so near as she may safely get" and load a full cargo of wheat and then "proceed to one or two ports in charterers' option out of Philippeville, Alger or Oran." The ship was stated to be "now trading and expected ready to load under this charter about 24th May, 1956." During February, 1955, the *Nizetti* had discharged cargo at Haifa, Israel. Thereafter she passed through the Suez Canal four times and on each occasion the master signed a declaration of future non-co-operation with Israel. At the date of the charter-party the shipowners knew that the *Nizetti* had called at Haifa and that the master had made declarations of future non-co-operation with Israel, but the charterers neither knew nor ought to have known that. The *Nizetti* arrived at Lattakia under the charter-party on 28th May, 1956, but was refused free pratique. On 30th May, the master made a declaration of non-co-operation with Israel, but was still refused permission to load. On 2nd June, the Syrian authorities prohibited the export of grain to Algeria, which took effect from 3rd June. On 5th June, the *Nizetti* sailed from Lattakia without having loaded. The charterers claimed damages, alleging breach of the charter-party. The charterers contended that the owners were in breach of the implied warranty of seaworthiness, alternatively that they were in breach of their implied warranty that the ship should commence and carry out the voyage contracted for with reasonable diligence, being undertakings in all contracts of carriage of goods by sea in the absence of express stipulations to the contrary. The trial judge held that since it lay solely within the power of the owners, and outside the power of the charterers, to obtain the permission to load, a term had to be implied in the charter-party to give business efficacy to the contract that the shipowners would at least exercise

reasonable diligence to obtain the permission. He further held that, since the owners knew, and the charterers neither knew nor ought to have known, that at the date of the charter-party that permission might be needed, there was an implied warranty by the shipowners not only that they would use due diligence to obtain, but that they would in fact obtain, whatever permission was necessary within a reasonable time, but that such reasonable time had not expired when this embargo took effect on 3rd June, 1956. The charterers appealed.

HODSON, L.J., said that the implied warranty of seaworthiness did not operate on the approach voyage but only when the vessel sailed with her cargo, and therefore it never attached at all under this charter-party: see *Cohn* v. *Davidson* (1877), 2 Q.B.D. 455, and *A. E. Reed & Co., Ltd.* v. *Page, Son & East, Ltd.* [1927] 1 K.B. 743. The obligation to carry out the voyage with reasonable dispatch was performed, she was never an arrived ship, and all her approach voyage was carried out with reasonable diligence. There was no necessity for the additional warranty implied by the judge in order to give business efficacy to the contract, the obligation "expected ready to load" was sufficient. The warranty sought to be implied by the judge was erroneous in principle, since it could not be said in the circumstances that both parties must have intended that it should be a term, or inferred what their attitude might have been had they known all the facts; and it did not comply with the test laid down in *Comptoir Commercial Anversois and Power, Son & Co.'s Arbitration* [1920] 1 K.B. 868 (C.A.).

ORMEROD, L.J., said that had there been such a warranty as the judge had implied there would not have been a breach of it by the time the charter-party was frustrated on 5th June, 1956.

GORMAN, J., delivered a concurring judgment.

Appeal dismissed. Leave to appeal to the House of Lords.

APPEARANCES: *John Megaw*, Q.C., and *R. A. MacCrindle* (*Ince & Co.*); *Ashton Roskill*, Q.C., and *J. F. Donaldson* (*Edward Thompson & Hauser*).

[Reported by Mrs. IRENE G. R. MOSES, Barrister-at-Law] [2 W.L.R. 719

TRIAL BY JURY: ROAD ACCIDENT: JUDGE'S DISCRETION

Pease *v.* George

Sellers, Ormerod and Upjohn, L.JJ. 7th March, 1960

Application.

The plaintiff claimed damages against the defendant in respect of personal injuries alleged to have resulted from the defendant's negligence when driving a motor-van. The injuries were stated to be very severe. On the summons for directions, the master ordered that the trial should be before a judge alone without a jury. The master's order was affirmed on appeal to the judge in chambers, who refused the plaintiff leave to appeal. The plaintiff applied to the Court of Appeal for leave to appeal.

SELLERS, L.J., said that there might be much to be said for having a jury in this particular case where the injuries were very grave indeed, and there was some judicial authority to indicate that a jury was not an improper or unreasonable mode of trial in such circumstances. But, while there was ample power in the judge to have ordered trial by jury in this particular case, he took the view that it was not one in which he would do so. It seemed that under R.S.C., Ord. 36, r. 1 (3), it was in the discretion of the court or the judge to decide one way or the other, and that was an absolute discretion. No doubt if it was, in the view of this court, going to create any real injustice, the principle of *Evans* v. *Bartlam* [1937] A.C. 473, might be invoked. But he could see no injustice in this particular action being tried by a judge alone, as the judge below ordered. This application, therefore, must be refused.

ORMEROD and UPJOHN, L.JJ., agreed.

APPEARANCES: *J. Drinkwater* (*White & Co.*); *E. W. Eveleigh* (*L. Bingham & Co.*).

[Reported by NORMAN PRIMOST, Esq., Barrister-at-Law] [1 W.L.R. 427

TRUST FOR SALE: MATRIMONIAL HOME: TRUSTEES' MARRIAGE DISSOLVED: COURT'S DISCRETION

Jones *v.* Challenger

Ormerod and Devlin, L.JJ., and Donovan, J.

14th March, 1960

Appeal from Bargoed County Court.

In 1956, a husband and wife purchased a lease, with about ten years to run, of a house which they then occupied as the matrimonial home, the purchase money being provided by the parties equally. The lease was assigned to them as trustees to sell the same with power to postpone the sale upon trust for themselves as joint tenants. In February, 1959, the husband obtained a divorce from the wife on the ground of her adultery. After the decree the wife, who had left the house, remarried, while the husband continued to live there and refused to agree to the sale of the lease. The wife then applied to the county court for an order under s. 30 of the Law of Property Act, 1925, that as co-trustee with her the husband should concur in offering the house for sale. The county court judge held that in exercising his discretion under s. 30 it would not be reasonable to order a sale so as to turn the husband out of his house. The wife appealed.

DEVLIN, L.J., reading his judgment (with which ORMEROD, L.J., agreed), said that the house was acquired as the matrimonial home. That was the purpose of the joint tenancy and, for so long as that purpose was still alive, the right test to be applied would be that in *In re Buchanan-Wollaston's Conveyance; Curtis* v. *Buchanan-Wollaston* [1939] Ch. 738. But with the end of the marriage, that purpose was dissolved and the primacy of the duty to sell was restored. No doubt there was still a discretion. If the husband wanted time to obtain alternative accommodation, the sale could be postponed for that purpose, but he had not asked for that. If he was prepared to buy out the wife's interest, it might be proper to allow it, but he had not accepted a suggestion that terms of that sort should be made. In those circumstances there was no way in which the discretion could properly be exercised except by an order to sell, because, since they could not now both enjoy occupation of the property, that was the only way whereby the beneficiaries could derive equal benefit from their investment, which was the primary object of the trust. Let it be granted that the court must look into all the circumstances; if when the examination was complete, it was found that there was no inequity in selling the property, then it must be sold. The test was not what was reasonable. It was reasonable for the husband to want to go on living in the house, and reasonable for the wife to want her share of the trust property in cash. The true question was whether it was inequitable for the wife, once the matrimonial home had gone, to want to realise her investment. In his lordship's judgment it clearly was not. The conversion of the property into a form in which both parties could enjoy their rights equally was the prime object of the trust; the preservation of the house as a home for one of them singly was not an object at all. If the true object of the trust was made paramount, there was only one order which could be made. His lordship would allow the appeal and make an order in the terms of the wife's application.

DONOVAN, J., said that the language of s. 30 conferred a complete discretion on the court which had, of course, to be exercised judicially. In his lordship's view the county court judge did not commit any error of law which vitiated the manner in which he exercised his discretion. Justice however

REGISTER OF
AUCTIONEERS, VALUERS, SURVEYORS, LAND AND ESTATE AGENTS

LONDON

CITY OF LONDON

BRIGHTWELL & MADDOCK, 29 Ludgate Hill, E.C.4. Tel. CITy 1962/6781.

CHAMBERLAIN & WILLOWS, 23 Moorgate and 58 Coleman Street, E.C.2. Tel. METropolitan 8001/8.

DEBENHAM, TEWSON & CHINNOCKS, 8 Telegraph Street, Moorgate, E.C.2. Tel. Monarch 5962 (Private branch exchange).

DOUGLAS YOUNG & CO., 12 Coleman Street, E.C.2. Est. 1868. Tel. MON 9378 and at Clapham, S.W.9.

DRON & WRIGHT, 17 Coleman Street, Moorgate, E.C.2. Tel. MONarch 6946 (PBX).

GOOCH & WAGSTAFF, Chartered Surveyors, 3 & 4 Old Jewry, E.C.2. Tel. Metropolitan 9444.

HICKLENTON & PHILLIPS, Specialists in Valuation of Jewels and Silver for probate or purchase, 90 Cheapside, E.C.2. METropolitan 8441.

HORNE & CO. (Founded 1795), Chartered Surveyors, Chartered Auctioneers and Estate Agents, 9 Ironmonger Lane, E.C.2. METropolitan 8105 (3 lines).

KING & CO., Chartered Surveyors, Factory Valuers and Agents, 71 Bishopsgate, E.C.2. Tel. LONdon Wall 7201 (5 lines). See also North London.

MARK LIELL & SON, Chartered Surveyors, 9-13 Crutched Friars, E.C.3. Telephone ROYal 5454. And East London.

MATTHEWS & GOODMAN, Chartered Surveyors, 35 Bucklersbury, E.C.4. Tel. CITy 5627.

MOORE, C. C. & T., Chartered Surveyors, 13 Lime Street, E.C.3 (Established 1820). Tel. MAN 0335/7.

RICHARD ELLIS & SON, Chartered Surveyors, 165 Fenchurch Street, E.C.3. Est. 1773. Tel. MINcing Lane 4272.

ST. QUINTIN, SON & STANLEY, Chartered Surveyors, 149 Leadenhall Street, E.C.3. Est. 1830. Tel. AVEnue 6055.

TOPLIS & HARDING & FINDLAY, 13/14 Union Court, Old Broad Street, E.C.2. Tel. LONdon Wall 7071.

NORTH LONDON

ALFRED SLINN & CO. (Est. 1889), Muswell Hill Broadway, N.10. Tel. TUD. 0091 (5 lines).

BARBER & MOORE, F.A.L.P.A., 26 Stoke Newington Road. N.16. Tel. CLissold 2143/4.

BATTY & STEVENS, 269 Archway Road, Highgate, N.6 Tel. MOU 3424-5. Also at Muswell Hill, Finchley and Barnet, Herts.

KING & CO., Chartered Surveyors, 725 Green Lanes, N.21. Tel. LABurnum 1137 (4 lines). See also City of London.

J. MAUNDER TAYLOR, Chartered Surveyor, Chartered Auctioneer and Estate Agent. 1318 High Road, N.20. Tel. HILside 2377/7217.

NEWBON & SHEPHARD, Auctioneers, Surveyors and Estate Agents, 274/5 Upper Street, Islington, N.1. Tel. CANonbury 1800.

PERRY & SEYMOUR, Surveyors, Valuers and Estate Agents, 6 Stoke Newington Road, N.16. Tel. CLissold 6611/2.

H. PUTT & SONS, Chartered Surveyors, 580 Green Lanes, London, N.8. Tel. STA. 3750. Valuations for Probate and Compulsory Acquisition. Urban Estate Managers.

STURT & TIVENDALE, F.R.I.C.S. F.A.I., 1261 High Road, Whetstone, N.20. HIL 3331/2 and at Highgate, N.6, and Muswell Hill, N.10.

WARD, SAUNDERS & CO., 298/299 Upper Street, Islington, N.1. Tel. Can 2487/8/9.

NORTH-EAST LONDON

H. EDELMAN & CO., F.A.I., Chartered Auctioneers and Estate Agents, Surveyors, Valuers, 172 Clapton Common, E.5. STA 0036.

WM. STEVENS & SON, 5 Dalston Lane, E.8. Auctioneers and Surveyors. Est. 1869. Tel. Clissold 1802. Also at Brondesbury N.W.6, and Edgware.

NORTH-WEST LONDON

ANDREWS, PHILIP & CO., F.R.I.C.S., Chartered Surveyors, 275 Willesden Lane, N.W.2. Tel. WILlesden 2236/7.

ANSCOMBE & RINGLAND. G. B. Slater, W. Andrews, J. G. Slater; Chartered Surveyors, 8 Wellington Road, N.W.8. Tel. PRI 7116.

BENNETT & CO., Surveyors, Valuers, Auctioneers, 167 Cricklewood Broadway, N.W.2. Tel GLAdstone 6666 and 7871 (6 lines).

NORTH-WEST LONDON (*continued*)

CAMERONS, F.A.I. (Est. 1908), 90 Walm Lane, N.W.2. Tel. WIL 0091

T. B. WESTACOTT & SONS, Surveyors, Valuers and Auctioneers, 74 Camden Road, N.W.1. Tel. GULliver 3331/2. And at Strand. Tel. TEMple Bar 8525.

SOUTH-EAST LONDON

BLAKE & DANNATT (Est. 1875), Chartered Surveyors. R. S. Jackson, F.R.I.C.S., F.A.I., George Dannatt, F.R.I.C.S., F.A.I., 18 Nelson Road, S.E.10. Tel. GREenwich 0593/0560.

EASTMAN BROS., Estate Agents & Valuers, 280 Kirkdale, S.E.26 Tel. SYD 6601.

EDWIN HILL & PARTNERS, Chartered Surveyors, 22 Borough High Street, London Bridge, S.E.1.

FURLONG (H. J.) & SONS, Surveyors, Auctioneers and Valuers, 1 Woolwich New Road, Woolwich, S.E.18. Tel. 1467/8. And at Eltham, S.E.9, and branches.

HUMPHREYS, SKITT & CO. (Est. 1793), 205 Greenwich High Road, S.E.10. GRE 1102/3.

LANG, ROBERT J., LTD. (R. D. Lang, F.R.I.C.S., F.A.I., J. H. Peroux, F.A.L.P.A.), Auctioneers and Surveyors, 8 Thomas Street, Woolwich, S.E.18 WOO 6787/8/9. 1 Central Parade, Catford, S.E.6. HIT 6367/8. Est. 1907.

NOYS & HOWES, F.A.L.P.A., 4 Sydenham Road, S.E.26, and 137 Anerley Road, S.E.20. Tel. Syd. 5173, 6293. and 4742.

PEARSONS, Chartered Surveyors, 189/191 Stanstead Road, Forest Hill, S.E.23. Tel. FOR 1133/6.

VICTOR W. HINDWOOD & CO., Auctioneers and Surveyors, 37 Charlton Church Lane, S.E.7. Tel. GREenwich 1144/5/6. Blackheath Village, S.E.3. Tel. LEE 3747. And Branches

SOUTH-WEST LONDON

ACLAND & CO., Estate Agents, Surveyors and Valuers. Rents collected. 193 New King's Road, S.W.6. Tel. REN. 1368/9 & 2317. Also at Richmond, Surrey (q v.).

ANLEY & CO., Auctioneers and Surveyors, 853 Fulham Road, S.W.6. REN 2383/5.

GEORGE BELBIN & CO., Chartered Surveyors and Valuers, 1 Knightsbridge Green, S.W.1. Tel. KNIghtsbridge 8846/8.

CALLOW & CO. (Estab. 1845), 1 Leigham Court Road, Streatham, S.W.16. Tel. STR 0185/6 & STR. 5252.

EDWIN EVANS & SONS (Est. 1880), Chartered Surveyors, Valuers, Auctioneers and Estate Agents, 251 & 253 Lavender Hill, Clapham Junction, S.W.11. Tel. BAT 0051 (4 lines). And at Morden, Surrey. Tel. MIT 2281.

FINCH & CO., F.R.I.C.S., F.A.I., 187 Kingston Road, Wimbledon. Tel. LIB 3345. And Clapham, S.W.4.

W. HALLETT & CO. (Est. 1869), Surveyors, Valuers and Estate Managers (L. J. Nixon, A.R.I.C.S., Chartered Surveyor, A. R. Nixon, A.A.L.P.A.), 6 Royal Parade, Kew Gardens, Richmond. Tel. RIChmond 1034 and 5950.

C. ERNEST MANEY, F.A.I., F.V.I., 1 Cavendish Parade, South Side, Clapham, S.W.4. Tel. 4414.

RAYNERS, Property Managers, 30 & 234 Upper Richmond Road, Putney, S.W.15. Tel. VANdyke 3166/4242.

TAYLOR, A. W., & CO., Chartered Surveyors, Valuers, Auctioneers and Estate Agents, 159 Putney High Street, S.W.15. Tel. Putney 0034 (3 lines). Est. 1883.

WATSON & EWEN (Est. 1896), 366 Streatham High Road, S.W.16 (F.R.I.C.S., F.A.I.). Tel. Streatham 0232 and 4788.

WILLIAM WILLETT ESTATE AGENTS LTD., Sloane Square, S.W.1. Tel. Sloane 8141. And at 146 Gloucester Road, S.W.7. Tel. Frobisher 2238.

HAROLD WILLIAMS & PARTNERS, Chartered Surveyors, Valuers, Chartered Auctioneers and Estate Agents, 70 Victoria Street, SW.1. Tel. Victoria 2893. And at 80 High Street, Croydon. Tel. Croydon 1931.

YORK & JONES, Office & Business Premises Specialists, 11 Palmer Street, S.W.1. Tel. ABB 1181/4.

EAST LONDON

ANSTEYS (Est. 1878), Chartered Surveyors, Auctioneers, and Valuers, 511 Barking Road, Plaistow, E.13. Tel. Grangewood 0308.

H. J. BLISS & SONS (Est. 1816), 162/4 Bethnal Green Road E.2. Tel. BIS 4818/9.

BROWN & EWIN, Chartered Auctioneers and Estate Agents, 218 East India Dock Road, E.14. Tel. East 3872.

EAST LONDON (*continued*)

CLARKSON & PARTNERS, Chartered Surveyors and Estate Agents, 223 East India Dock Road, E.14. Tel. EASt 1897/8. And 23 Billiter Street, E.C.3. Tel. ROYal 1006/7.

MOORE, C. C. & T., Chartered Surveyors, 33 Mile End Road, E.1. City Office, 13 Lime Street, E.C.3. Tel. MAN 0335/7.

TAYLOR, LOCKHART & LANG, Auctioneers, Surveyors and Estate Managers. Est. 130 years. (S. S. Lockhart, F.A.L.P.A., J. W. Lockhart, A.R.I.C.S., A.A.I., R. A. Lang, A.R.I.C.S., M.R.S.H.), 230/232 Whitechapel Road, E.1. BIShopsgate 7378.

WEST-CENTRAL LONDON

BAILEY & WOODBRIDGE, 9 Great Russell Street, W.C.1. Tel.: MUSeum 2624. Estate Agents, Surveyors Investment Specialists.

BROWETT, TAYLOR & CO., Chartered Surveyors, 3 and 4 Lincoln's Inn Fields, W.C.2. Tel. CHA 8275.

BUCKLAND & SONS, 4 Bloomsbury Square, W.C.1. Tel. HOL 0013/4. Also at Windsor, Slough and Reading.

PERRY & BELL, Bell House, 175 Regent Street, W.1. Tel: REGent 3333 (4 lines). Surveyors, Valuers, Estate Agents and Auctioneers.

SAVILL, ALFRED & SONS, Chartered Surveyors, Land and Estate Agents, Valuers and Auctioneers, 51a Lincoln's Inn Fields, W.C.2. Tel. HOLborn 8741/9. Also at Chelmsford, Guildford, Norwich, Wimborne and Woking.

E. A. SHAW & PARTNERS (Est. 1899), Surveyors and Valuers, 19 and 20 Bow Street, W.C.2. Tel. COV 2255.

WEST END LONDON

BEECROFT SONS & NICHOLSON—H. C. H. Beecroft, P. R. Beecroft, F.R.I.C.S., F.A.I., Valuers, Surveyors and Assessors, 32a Weymouth Street, W.1. Tel. LAN 6721 (4 lines).

DOUGLAS KERSHAW & CO., Chartered Auctioneers and Estate Agents, Valuers. 12 Hanover Street, W.1. Tel. MAYfair 4928/9.

DOUGLAS YOUNG & CO., 1 Dover Street, W.1. Tel. HYD 6441 and at E.C.2.

DRIVERS, JONAS & CO., Chartered Surveyors. Land Agents and Auctioneers, 7 Charles II Street, St. James's Square, S.W.1. Tel. TRAfalgar 4744.

FOLKARD & HAYWARD, 115 Baker Street, W.1. Tel. WELbeck 8181.

HERRING, SON & DAW (incorporating Arthur F. Bourdas), Rating Surveyors, Valuers and Town Planning Consultants, 23 St. James's Square, S.W.1. Tel. TRAfalgar 4121.

MAPLE & CO., LTD., Estate Offices, 5 Grafton Street, Bond Street, W.1. Tel. HYDe Park 4685.

MULLETT, BOOKER & CO., Estate Agents, Auctioneers, Surveyors and Valuers, 23 Albion Street, Hyde Park, W.2.

WEST LONDON

ALLEN & NORRIS, LTD., Estate Agents, Valuers and Surveyors, 190 Fulham Palace Road, W.6. Tel. Ful 7817/8/9.

ATHAWES, SON & CO., F.A.I. (Est. 1871), Chartered Auctioneers & Estate Agents, Valuers, Surveyors and Estate Managers, Acton, W.3. (ACOrn 0056/7/8.)

BEALE & CAPPS, Chartered Auctioneers, Surveyors, Valuers, 126 Ladbroke Grove, W.10. Tel. PAR 5671.

CHESTERTON & SONS, Chartered Surveyors, Auctioneers and Estate Agents, 116 Kensington High Street, W.8. Tel. Western 1234.

COLE, HICKS & CHILVERS, Surveyors, etc., Helena Chambers, 42 The Broadway, Ealing, W.5. Tel. Eal 4014/5.

COOKES & BURRELL, Chartered Auctioneers and Estate Agents, Surveyors and Valuers, West Kensington, W.14. Tel. FULham 7665/6.

DUNPHY & SON (Herbert W.), Chartered Auctioneers, 162 Goldhawk Road, W.12. Tel. SHE 2224/6.

FARNHAM & COIGLEY, Chartered Surveyors & Estate Agents, 9 Kensington Church Street, W.8. Tel. WEStern 0042.

FLOOD & SONS, Chartered Auctioneers and Estate Agents, 8 Westbourne Grove, W.2. Tel. BAY 0803.

TIPPING & CO., Surveyors, Estate Agents and Valuers, 56 Queensway, W.2. Tel. BAY 6686 (4 lines).

GEO. WESTON, F.A.I., Auctioneers, Estate Agents, Valuers, Surveyors, 10 Sutherland Avenue, Paddington, W.9. Tel. Cun 7217 (5 lines).

LONDON SUBURBS

Barnes, East Sheen and Roehampton.—RODNEY SCOTT & CO. (F. G. Porter, F.A.I.), 121 Church Road, Barnes, S.W.13. RIV 3416/7183. And East Sheen.

Battersea, Clapham Junction, Tooting, Southfields.—RAYNERS (Neville Rayner, J.P., F.V.I., F.R.V.A.; L. S. E. Pegler, A.R.I.C.S., A.A.I.), 205 Lavender Hill, S.W.11. Tel. BATtersea 8686. Four Offices.

Blackheath and Sidcup.—DYER, SON & CREASEY, Chartered Surveyors, 22 Tranquil Vale, S.E.3, and 111 Station Road, Sidcup.

Brentford (for West London and West Middlesex).—LINNEY, MATTHEWS & CO. (C. A. Naylor, F.A.I., F.A.L.P.A., F.V.I.). Chartered Auctioneers and Estate Agents, Valuers, 112 High Street, Brentford. Tel. ISLeworth 5277/8.

Chiswick and Bedford Park.—TYSER, GREENWOOD & CO., 386 High Road. H. Norman Harding, F.R.I.C.S., F.A.I., Ernest J. Griffen, F.A.I., G. S. Bradley, F.A.I., Est. 1873. Tel. Chiswick 7022/3/4.

Ealing, Ealing Common and District.—JONES & CO., F.A.I., Chartered Auctioneers and Estate Agents, adj. Ealing Common Station, W.5. Tel. ACO 5006 (3 lines).

Ealing, Hanwell and District.—P. CHASE GARDENER AND CO., Auctioneers, Surveyors, Valuers and Estate Agents, 87 Uxbridge Road, Hanwell, W.7. Tel. EALing 1918.

East Ham.—HAMLETTS' (LEWIS J. HAMLETT, F.R.I.C.S.), 764 Barking Road, Plaistow, E.13, Surveyors and Estate Agents. Est. 1893. Tel. Grangewood 0546.

East Sheen, Barnes and Richmond.—C. & E. Melville (John A. Knowlton, F.R.I.C.S.), 233 Upper Richmond Road West, East Sheen, S.W.14. Tel. PROspect 1021/2/3

Edgware.—E. J. T. NEAL, F.R.I.C.S., F.A.I., 39 Station Road. Tel. EDG 0123/4.

Finchley.—E. C. LLOYD, 336 Regents Park Road, N.3. Tel. Finchley 6246/7.

Finchley and Barnet.—SPARROW & SON, Auctioneers, Surveyors and Valuers, 315 Ballards Lane, N.12. Est. 1874. Tel. HIL 5252/3.

Hammersmith.—MORTON & WATERS, 310 King Street. Valuations, Survey. Estates Managed. Tel. Riverside 1080 and 4567.

(*continued on p. xiv*)

REGISTER OF
Auctioneers, Valuers, Surveyors, Land and Estate Agents

Harrow.—E. BECKETT, F.A.I., Surveyor, Chartered Auctioneer and Estate Agent, 7 College Road, Harrow. Tel. Harrow 5216. And at Sudbury, Wembley, North Harrow and Moor Park, Northwood.

Harrow.—CORBETT ALTMAN & Co., A.R.I.C.S., F.A.I., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 40 College Road, Harrow. Tel. Harrow 6222. Also Rating, Compensation and Planning Surveyors.

Harrow.—P. N. DEWE & CO (P. N. Dewe, F.A.L.P.A., J. Ferrari, F.R.I.C.S., F.A.I., M.R.San.I., J. Cosgrave, A.R.I.C.S., A.M.I.Struct.E.), 42 College Road. Tel 4288/90 Associated offices at Hillingdon. Established 1925.

Hendon and Colindale.—HOWARD & MANNING (G. E. Manning, F.A.L.P.A., F.V.I.), Auctioneers, Surveyors and Valuers, 218 The Broadway, West Hendon, N.W.9. Tel. Hendon 7686/8, and at Northwood Hills, Middx. Tel. Northwood 2215/6.

Hendon.—DOUGLAS MARTIN & PARTNERS, LTD.—Douglas Martin, F.A.L.P.A., F.V.A.; Bernard Roach, F.A.L.P.A.; Jeffrey Lorenz, F.V.A.; John Sanders, F.V.A.; Alan Pritchard, A.V.A., Auctioneers, Surveyors, etc., Hendon Central Tube Station, N.W.4. Tel. HEN 6333.

Hendon.—M. E. NEAL & SON, 102 Brent Street, N.W.4. Tel. Hendon 6123. Established 1919.

Ilford.—RANDALLS, F.R.I.C.S. Chartered Surveyors and Auctioneers (Established 1884), 67 Cranbrook Road, Tel. VALentine 6272 (10 lines).

Leyton.—HAROLD E. LEVI & CO., F.A.L.P.A., Auctioneers and Surveyors, 760 Leo Bridge Road, Leyton, E.17. Tel. Leytonstone 4423/4424.

Leyton and Leytonstone.—R. CHEKE & CO., 252 High Road, E.10. Tel. Leytonstone 7733/4.

Leytonstone.—COMPTON GUY, Est. 1899, Auctioneers, Surveyors and Valuers, 55 Harrington Road. Tel. Ley 1123. And at 1 Cambridge Park, Wanstead. Tel. Wan 5148; 13 The Broadway, Woodford Green. Tel. Buc 0464.

Leytonstone.—PETTY, SON & PRESTWICH, F.A.I. Chartered Auctioneers and Estate Agents, 682 High Road, Leytonstone, E.11. Tel. LEY 1194/5, and at Wanstead and South Woodford.

Mill Hill.—COSWAY ESTATE OFFICES, 135/7 The Broadway, N.W.7. Tel. Mill Hill 2422/3422/2204.

Norbury.—DOUGLAS GRAHAM & CO., Estate Agents, Property Managers, 1364 London Road, S.W.16. Tel. POL 1313/1690. And at Thornton Heath, Sutton and Piccadilly, W.1.

Putney.—QUINTON & CO., F.A.I., Surveyors, Chartered Auctioneers and Estate Agents, 153 Upper Richmond Road, S.W.15. Tel. Putney 6249/6617.

South Norwood.—R. L. COURCIER, Estate Agent, Surveyor, Valuer, 4 and 6 Station Road, S.E.25. Tel. LIVingstone 3737.

Stanmore.—GLOVER of STANMORE, F.V.I., The Broadway (and at Station). Grimsdyke 2241 (5 lines).

Tottenham.—HILLYER & HILLYER (A. Murphy, F.A.I., F.V.A.), Auctioneers, Surveyors, Valuers and Estate Managers, 270/2 West Green Road, N.15 Tel. BOW 3464 (3 lines).

Walthamstow and Chingford.—EDWARD CULFF & CO., F.A.L.P.A., Auctioneers and Surveyors and Estate Agents, 92 St. Mary Road, Walthamstow, E.17. Tel. COPpermill 3391. Specialists in Property Management.

Wandsworth (Borough of), Battersea and S.W. Area.—MORETON RICHES, Surveyor, Auctioneer and Valuer, House and Estate Agent, 92 East Hill, Wandsworth, S.W.18. Tel. VANdyke 4166/4167.

Wood Green.—WOOD & LOACH, Chartered Auctioneers and Estate Agents, Surveyors and Valuers. 723 Lordship Lane, N.22 (Adjacent Eastern National Bus Station, close to Wood Green Tube Station). Tel. Bowes Park 1632.

PROVINCIAL

BEDFORDSHIRE

Bedford.—J. R. EVE & SON, 40 Mill Street, Chartered Surveyors, Land Agents, Auctioneers and Valuers. Tel. 67301/2.

Bedford.—ROBINSON & HALL, 15A St. Paul's Square, Chartered Surveyors. Tel. 2201/2/3.

Luton.—CUMBERLANDS (Est. 1840). Land and Estate Agents, Auctioneers, 9 Castle Street. Tel. Luton 875/6.

Luton.—RICHARDSON & STILLMAN, Chartered Auctioneers and Estate Agents, 30 Alma Street, Tel. Luton 6492/3.

BERKSHIRE

Abingdon, Wantage and Didcot.—ADKIN, BELCHER & BOWEN, Auctioneers, Valuers and Estate Agents. Tel. Nos. Abingdon 1078/9. Wantage 48. Didcot 3197.

Bracknell.—HUNTON & SON. Est. 1870. Auctioneers and Estate Agents, Valuers. Tel. 23.

County of Berkshire.—Mrs. N. C. TUFNELL & PARTNERS, Auctioneers, Valuers and Surveyors, Sunninghill, Ascot (Ascot 1666), and Streatley (Goring 45).

Didcot and District.—E. P. MESSENGER & SON, Chartered Auctioneers and Estate Agents, etc., The Broadway. Tel. Didcot 2079.

Faringdon.—HOBBS & CHAMBERS Chartered Surveyors, Chartered Auctioneers and Estate Agents. Tel. Faringdon 2113.

Maidenhead.—L. DUDLEY CLIFTON & SON, Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 32 Queen Street. Tel. 62 and 577 (4 lines).

Maidenhead, Windsor and Sunningdale.—GIDDY & GIDDY. Tel. Nos. Maidenhead 53, Windsor 73, Ascot 73.

Newbury.—DAY, SHERGOLD & HERBERT, F.A.I., Est. 1889. Chartered Auctioneers and Estate Agents, Market Place, Newbury. Tel Newbury 775.

Newbury.—DREWEATT, WATSON & BARTON. Est. 1759. Chartered Auctioneers, Estate Agents and Valuers, Market Place. Tel. 1.

Newbury.—C. G. FOWLIE, F.R.I.C.S., F.A.I., Chartered Surveyor, 16 Bartholomew Street. Tel. 761 (2 lines).

Newbury and Hungerford.—A. W. NEATE & SONS. Est. 1876. Agricultural Valuers, Auctioneers, House and Estate Agents. Tel. Newbury 304 and 1620. Hungerford 8.

Reading.—HASLAM & SON, Chartered Surveyors and Valuers, Friar Street Chambers. Tel. 54271/2.

Windsor and Reading.—BUCKLAND & SONS, High Street, Windsor. Tel. 48. And 154 Friar Street, Reading. Tel. 51370. Also at Slough and London, W.C.

BUCKINGHAMSHIRE

Amersham and The Chalfonts.—SWANNELL & SLY, Hill Avenue, Amersham. Tel. 73. Valuers, Auctioneers, etc.

Amersham, Chesham and Great Missenden.—HOWARD, SON & GOOCH, Auctioneers, Surveyors, and Estate Agents, Oakfield Corner, Amersham (Tel. 1430), and at Chesham 8097 and Great Missenden 2194.

Aylesbury.—PERCY BLACK & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 18 Market Square. Tel. 4661/3.

Aylesbury.—W. BROWN & CO., 2 Church Street. Tel. 4706/7. Urban and Agricultural practice.

Beaconsfield.—HAMNETT, RAFFETY & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents. Opposite the Post Office. Tel. 1290/1.

Farnham Common.—HAMNETT, RAFFETY & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents, The Broadway. Tel. 109.

High Wycombe.—HAMNETT, RAFFETY & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 30 High Street. Tel. 2576/7/8/9.

BUCKINGHAMSHIRE (*continued*)

High Wycombe.—HUNT & NASH, F.R.I.C.S., F.A.I., Chartered Surveyors, 15 Crendon Street. Tel. 884.

High Wycombe and South Bucks.—H. MORCOM JONES & CO., F.A.I., Chartered Auctioneers, 86 Easton Street. Tel. 1404/5.

North Bucks.—DOUGLAS STRATFORD & CO. Est. 1890. Bletchley 2201/2. Bedford 66373. Luton 2953.

Princes Risborough.—HAMNETT, RAFFETY & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents, High Street. Tel. 744/5.

Slough.—EDWARD & CHARLES BOWYER, Chartered Surveyors, 15 Curzon Street. Tel. Slough 20321/2.

Slough.—BUCKLAND & SONS, 26 Mackenzie St. Tel. 21307. Also at Windsor, Reading and London, W.C.1.

Slough.—HOUSEMANS, Estate and Property Managers, Surveyors, Valuers, House, Land and Estate Agents, Mortgage and Insurance Brokers, 46 Windsor Road. Tel. 25496. Also at Ashford, Middlesex.

Slough and Gerrards Cross.—GIDDY & GIDDY. Tel. Nos. Slough 23379, Gerrards Cross 3987.

CAMBRIDGESHIRE

Cambridge.—HOCKEY & SON. (Est. 1885). Auctioneers and Surveyors. 8 Benett Street. Tel. 59455/6.

Cambridge and County.—WESTLEY & HUFF, Auctioneers, Surveyors and Valuers, 10 Hills Road, Cambridge. Tel. 55665/6.

CHESHIRE

Altrincham.—STUART MURRAY & CO., Auctioneers, etc., 8 The Downs. Tel. 2302/3. And at Manchester.

Birkenhead.—SMITH & SONS (Est. 1840), Auctioneers, Valuers. Tel. Birkenhead 1590. And at Liverpool.

Birkenhead and Wirral.—Messrs. JAMES HARLAND, W. J. Harland, F.R.I.C.S., F.A.I., Chartered Surveyor, 46 Church Road, Birkenhead. Tel. 1597/8.

Chester.—BERESFORD, ADAMS & SON. (Est. 1899). Auctioneers, Valuers and Surveyors. 22 Newgate Street. Tel. No. 23401.

Chester.—BROWNS OF CHESTER, LTD., Auctioneers, Valuers and Estate Agents. 103 Foregate Street. Tel. Chester 21495/6.

Chester.—HARPER, WEBB & CO. (incorporating W. H. Nightingale & Son), Chartered Surveyors, 35 White Friars, Chester. Tel. Chester 20685.

Chester.—SWETENHAM, WHITEHOUSE & CO., Auctioneers, Estate Agents, Surveyors, Valuers, 5 St. Werburgh Street. Tel. 20422.

Congleton.—LOUIS TAYLOR & SONS, F.A.I., Chartered Auctioneers and Estate Agents, 21 High Street, Tel. 91.

Congleton.—W. J. WHITTAKER & CO., Incorporated Auctioneers, Valuers and Estate Agents, Congleton, Cheshire. Tel. 241.

Crewe. — HENRY MANLEY & SONS, LTD., Auctioneers & Valuers, Crewe (Tel. 4301) & Branches.

Macclesfield.—BROCKLEHURST & CO., Auctioneers, Valuers, Estate Agents, King Edward Street. Tel. 2183.

Nantwich, Northwich, Winsford & Tarporley.—JOSEPH WRIGHT, Auctioneers, Valuers and Estate Agents, 1 Hospital Street, Nantwich. Tel. 65410.

Northwich.—MARSH & SON. Auctioneers, Valuers, Estate Agents, 4 Bull Ring Tel. 2216.

Stockport.—HOPWOOD & SON (Est. 1835), Chartered Auctioneers, Valuers, Estate Agents, 69 Wellington Road South. Tel. STO 2123.

CORNWALL

County of Cornwall.—JOHN JULIAN & CO., LTD. Established 1836. Auctioneers, Valuers, Estate Agents. Offices at Newquay, Truro, Falmouth and Wadebridge.

County of Cornwall.—RUSSELL & HAMLEY, F.A.I. (C. J. Hamley, F.A.I., A. W. Russell, F.A.I.), 31 Town End, Bodmin. Tel. 346.

Falmouth.—R. E. PRIOR, F.R.I.C.S., F.A.I., Chartered Surveyor and Auctioneer, The Moor, Falmouth. Tel. 1224.

Mid-Cornwall.—S. A. WILSON, F.V.I., St. Austell. Tel. 743 (day and night). Valuer, Business and House Agent.

Penzance, St. Ives, West Cornwall and Isles of Scilly.—W. H. LANE & Son, F.A.L.P.A., The Estate Offices, Morrab Road, Penzance. Tel. Penzance 2286/7.

(*continued on p. xv*)

CORNWALL (*continued*)

Redruth.—A. PEARSE JENKIN & PARTNERS. Est. 1760. Auctioneers, Surveyors and Valuers, Alma Place.

St. Austell & Looe.—LAMPSHIRE & NANCOLLAS. Chartered Auctioneers and Estate Agents. St. Austell 3254/5. Looe 309.

St. Austell, Lostwithiel and Liskeard.—ROWSE, JEFFERY & WATKINS, Auctioneers, Valuers, Surveyors and Estate Agents. St. Austell 3483/4. Lostwithiel 45 and 245. Liskeard 2400.

Truro, Mid and West Cornwall.—R. G. MILLER & CO., Auctioneers, Valuers and Estate Agents. Established 1934. R. G. Miller, F.V.I., A. I. Miller, A.A.I., 6 King Street. (Phone Truro 2503.)

DERBYSHIRE

Derby.—ALLEN & FARQUHAR, Chartered Auctioneers and Estate Agents, Derwent House, 39 Full Street. Tel. Derby 45645 (3 lines).

DEVONSHIRE

Axminster—25-mile radius.—TAYLOR & CO., Auctioneers, Valuers, Surveyors, Estate Agents. Tel. 2323/4.

Axminster, East Devon, South Somerset and West Dorset Districts.—R. & C. SNELL, Chartered Auctioneers, Estate Agents, Valuers and Surveyors, Axminster (Devon), Chard (Somerset) and Bridport (Dorset).

Barnstaple and N. Devon.—BRIGHTON GAY, F.A.L.P.A., Surveyors, Valuers, Auctioneers, Joy Street, Barnstaple. Tel. 4131.

Barnstaple and N. Devon.—J. GORDON VICK, F.R.I.C.S., F.A.I., Chartered Surveyors, Chartered Auctioneer. Tel. 4388.

Bideford and North Devon.—R. BLACKMORE & SONS, Chartered Auctioneers and Valuers. Tel. 1133/1134.

Bideford and North Devon.—A. C. HOOPER & CO., Estate Agents and Valuers. Tel. 708.

Brixham and Torbay.—FRED PARKES, F.A.L.P.A., Estate Agent, Auctioneer and Valuer, 15 Bolton Street. Tel. 2036.

Devon and Exeter.—GUY MICHELMORE & CO., Norwich Union House, Exeter. Tel. 76464/5.

Devon, Exeter and S.W. Counties.—RICKEARD, GREEN & MICHELMORE, Estate Agents, Auctioneers, Surveyors and Valuers, 82 Queen Street, Exeter. Tel. 74072 (2 lines).

Exeter.—RIPPON, BOSWELL & CO., Incorporated Auctioneers and Estate Agents, Valuers and Surveyors. Est. 1884. Tel. 59378 (3 lines).

Ilfracombe.—W. C. HUTCHINGS & CO., Incorporated Auctioneers, Valuers and Estate Agents. Est. 1887. Tel. 138.

Okehampton, Mid Devon.—J. GORDON VICK, Chartered Surveyor, Chartered Auctioneer. Tel. 22.

Paignton, Torbay & South Devon.—TUCKERS, Auctioneers and Surveyors, Paignton. Tel. 59024.

Plymouth.—D. WARD & SON, Chartered Surveyors, Land Agents, Auctioneers and Valuers. (Est. 1872). 11 The Crescent, Plymouth. Tel. 66251/4.

Sidmouth.—POTBURY & SONS, LTD., Auctioneers, Estate Agents and Valuers. Tel. 14.

Teignmouth, Shaldon, etc.—ROBT. FROST & SON (Robt. Frost, F.A.I., Chartered Auctioneer and Estate Agent). Est. 1857. 5 Regent Street, Teignmouth. Tel. 671/2.

Torquay and South Devon.—WAYCOTTS, Chartered Auctioneers and Estate Agents, 5 Fleet Street, Torquay. Tel. 4333/5.

DORSETSHIRE

Poole, Parkstone, Broadstone.—RUMSEY & RUMSEY. Head Office 111 Old Christchurch Road. Tel. Bournemouth 21212. 14 Branch Offices in Hants and Dorset and Channel Islands.

West Dorset.—ALLEN, TAYLOR & WHITFIELD, 25 East Street, Bridport. Tel. 2929.

DURHAM

Darlington.—JAMES PRATT & SONS, F.V.I., Auctioneers, Valuers and Estate Agents, 40a High Row. Tel. 4831.

Darlington.—SANDERSON, TOWNEND & GILBERT Chartered Surveyors, 92 Bondgate.

required that the wife should be paid the value of her interest in the house if the husband wished to continue to live there, and that the wife should thereupon cede her share of the joint tenancy to him. His lordship would allow the appeal to the extent necessary to make an order accordingly.

Appeal allowed in terms of judgment of Devlin, L.J.

APPEARANCES: *H. W. J. ap Robert* (*Parlett, Kent & Co.*, for *Norman Morgan & Davies*, Cardiff); *Phillip Wien* (*W. H. Williams*, Caerphilly).

[Reported by A. H. BRAY, Esq., Barrister-at-Law] [2 W.L.R. 695

LEGAL AID: COSTS RECOVERABLE FROM SUM AWARDED TO LEGALLY AIDED PERSON AS DAMAGES

Bloomfield *v.* British Transport Commission

Sellers, Ormerod and Upjohn, L.JJ. 18th March, 1960

Appeal from Pilcher, J.

A railway worker injured at work recovered £1,500 damages on his claim against his employers, who admitted liability. He appealed against the amount of damages awarded, contending that they were too low. His appeal was dismissed, and his employers asked for the costs of the appeal. The plaintiff had been in receipt of legal aid both on his trial and on the appeal, his contribution being assessed as "Nil." Counsel for the employers submitted that the court, in considering what was a reasonable sum for a legally aided person to pay in costs, was enjoined by s. 2 (2) (*e*) of the Legal Aid and Advice Act, 1949, to have regard to "all the circumstances, including the means of all the parties." "Means" included any damages which the legally aided person might have recovered, and nothing in the 1949 Act made an award of damages to such a person untouchable for costs. McNair, J., had taken that view in *Nolan* v. *C. & C. Marshall, Ltd.* [1954] 2 Q.B. 42, but as an appeal by the legally aided person in that case had succeeded, the trial judge's view had become obiter. If the matter was purely discretionary, no such discretion overrode the principle that a successful party should have his costs. Counsel for the plaintiff said that the legal aid committee in this case had excluded the award of damages in considering the means of this plaintiff in relation to his appeal. The court had a complete discretion as to costs.

SELLERS, L.J., said that the court approved of what had been said by McNair, J., accepted as it had been in that case on appeal ([1954] 2 Q.B. 45) and particularly by Birkett, L.J. The matter was open to consideration by the court. His lordship could see no ground for depriving the defendants of their costs, but those costs would have to come out of the damages which the plaintiff had been awarded, and it was desirable that the damages should not be reduced more than necessary. Applying the best consideration it could to the matter, the court would itself assess the costs as not exceeding the sum of £75.

ORMEROD and UPJOHN, L.JJ., concurred.

APPEARANCES: *Marven Everett*, Q.C., and *H. Tudor Evans* (*M. H. B. Gilmour*); *Patrick O'Connor* (*Moodie, Randall Carr & Miles*, for *Bankes, Ashton & Co.*, Bury St. Edmunds).

[Reported by Miss M. M. HILL, Barrister-at-Law] [2 W.L.R. 693

Chancery Division

COMPANY: AMALGAMATION: WHETHER SCHEME SHOWN TO BE UNFAIR

In re Sussex Brick Co., Ltd.

Vaisey, J. 22nd July, 1959

Adjourned summons.

A majority of 90 per cent. of the ordinary shareholders in a brick company accepted an offer, on terms set out in a scheme, of, in effect, two shares in the transferee company for every three shares in the brick company. At the date of the offer three brick company shares were worth about 21s. 3d. and at the date of the hearing two shares in the transferee company were, according to Stock Exchange quotations, worth 43s. 1d. The applicant, the holder of 5,500 ordinary shares in the brick company, did not want to have his shares replaced by shares in the transferee company, and he sought a declaration under s. 209 of the Companies Act, 1948, that the transferee company was neither bound nor entitled to acquire his shares. It appeared from his evidence that the scheme was open to criticism, and that a good case could have been made out for the formulation of a better scheme, more attractive to the brick company shareholders, but there was no suggestion of any bad faith or intentional misleading by the transferee company.

VAISEY, J., said that it was for an applicant taking advantage of s. 209 to show that a scheme was to him unfair (see *In re Hoare & Co., Ltd* (1933), 150 L.T. 374, at p. 375, per Maugham, J.). This scheme was open to criticism, but could it therefore be said to be unfair? It was difficult to predicate unfairness when there had been perfect good faith on the side of the person alleged to have been unfair. The applicant was faced with the difficult task of discharging the heavy onus of showing that he, the only man in the regiment who was out of step, was the only man whose views ought to prevail. That a scheme was not 100 per cent. fair, or that a better offer might have been made, or a mere finding of items or details open to criticism, was not unfairness in the sense used in the authorities. It could not be said that no scheme could be effective to bind a dissentient shareholder unless it complied to the extent of 100 per cent. with the highest possible standard of fairness, equity and reason. It must be affirmatively established that, notwithstanding the views of the majority, the scheme was unfair; it had to be shown affirmatively, patently, obviously and convincingly, to be unfair. His lordship was not satisfied that this scheme was unfair in that sense and the application ought not to succeed. Order accordingly.

APPEARANCES: *Ralph Stone* (*Simpson, Palmer & Winder*); *John Mills* (*Baileys, Shaw & Gillett*).

[Reported by Miss J. F. LAMB, Barrister-at-Law] [2 W.L.R 665

MORTGAGE: LEASE GRANTED WITHOUT MORTGAGEE'S CONSENT: POSSESSION

Stroud Building Society *v.* Delamont

Cross, J. 28th January, 1960

Adjourned summons.

On 31st July, 1947, freehold premises were charged by way of legal mortgage in favour of a building society by a legal charge which provided that no lease should be made by the mortgagor without the consent of the society. In March, 1948, the mortgagor, without the consent of the society, granted an oral tenancy of the premises. On 27th June, 1956, the mortgagor was adjudicated bankrupt. On 23rd January, 1957, the society served notice on the tenant to deliver up possession and stated that they did not regard themselves as bound by the tenancy, but the tenant did not comply with the notice to quit and the society did not enforce it, and until the end of 1957 the rent was paid to the mortgagor's trustee in bankruptcy. On 13th January, 1958, the society, pursuant to s. 109 of the Law of Property Act, 1925, appointed *P*, its secretary, to be receiver of the income of the mortgaged property; he gave the tenant notice of his appointment and requested her to pay the rent to him. In March, 1958, the society informed the tenant that the terms of the tenancy, which she held as tenant of the building society, were the same as those of the tenancy granted by the mortgagor. The tenant paid rent by cheques drawn in favour of the society, and on 1st July, 1958, *P*, acting as secretary of the society and not as receiver, served on the tenant notice to quit and deliver up possession on 3rd January, 1959, but it was agreed that, if the tenant held a tenancy binding on the

society, that notice was invalid. The tenant failed to comply with that notice, and the society claimed possession.

CROSS, J., said that when a mortgagor had granted a tenancy which was not binding on the mortgagee, since he had not given his consent, the mortgagee could, instead of treating the tenant as a trespasser, by consent treat him as his tenant or, at all events, act in such a way as precluded him from saying that he had not consented to take him as his tenant. Such an acceptance by the mortgagee of the mortgagor's tenant, whether express or implied, or operating by way of estoppel, must amount to a creation of a new tenancy between the parties. The tenancy between a mortgagor and a tenant was not merely voidable by the mortgagee if he chose not to accept it, but one which he could confirm by waiving his right to avoid it: it was a nullity as against the mortgagee, and so, if the mortgagee was to lose his right to treat the mortgagor's tenant as a trespasser, it must be because the tenant had become the mortgagee's tenant under a new tenancy. It was clear that until the receiver was appointed, the society had done nothing which deprived it of its right to treat the tenant as a trespasser. It was equally clear that if the society had then called on her to pay her rent to it, and she had done so, a new weekly tenancy would have been created between her and the society. The society had, however, appointed a receiver. He accepted as correct the dictum of Harman, J., in *Lever Finance, Ltd.* v. *Needleman and Kreutzer's Trustee* [1956] Ch. 375, that the receipt of rent by such a receiver did not create a tenancy between the tenant and the mortgagee. But there was nothing in point of law to prevent a mortgagee who had appointed a receiver of mortgaged premises from creating, by virtue of his legal estate in the land, the relationship of landlord and tenant between himself and a tenant of the mortgagor without previously terminating his receivership. The right inference to draw from all the facts was that the society had consented to accept the tenant. No doubt the society never deliberately abandoned any right which it had to treat her as a trespasser, but that was because it never appreciated that it had any such right. The society was, therefore, not entitled to possession.

APPEARANCES: *E. G. Nugee* (*Crossman, Block & Keith*, for *Winterbotham, Ball & Gadsden*, Stroud); *A. L. Price* (*Gamlen, Bowerman & Forward*, for *Morland & Son*, Abingdon).

[Reported by Miss M. G. THOMAS, Barrister-at-Law] **[1 W.L.R. 431**

NAME AND ARMS CLAUSE: VALIDITY: EFFECT OF FAILURE TO CHANGE NAME

In re Neeld, deceased; Carpenter *v.* Inigo-Jones

Cross, J. 4th March, 1960

Adjourned summons.

By his will dated 12th January, 1952, a testator devised certain specifically named freehold properties upon trust for his grandson for life with remainder to his sons in tail male, with remainder to the daughter of the testator, and on her death upon the trusts of his residuary estate, and he directed that any person, other than his daughter, "who . . . shall become entitled to the actual receipt of the yearly rents and profits" of those properties "and who shall not then use the surname of Inigo-Jones shall take upon himself and use upon all occasions the surname of Inigo-Jones only and quarter the arms of Inigo-Jones with his or her own family arms and shall within the space of one year next after the period hereinbefore prescribed take the requisite means to enable him or her to take use and bear the surname of Inigo-Jones only and arms of Inigo-Jones and in case any of the said persons . . . shall refuse or neglect or discontinue to take or use such surname and arms . . . after the expiration of the said space of one year the use and estate hereby limited . . . shall absolutely cease," and the properties should devolve as though the person concerned were dead: that provision was not to apply if the properties devolved on any person entitled to the residuary estate. The testator devised and bequeathed his net residuary estate to his brother with remainder to the son of his brother, with remainder to another brother and to his son in tail male, with remainder to the sons and daughters of his daughter in tail general with an ultimate remainder for the persons entitled under the Administration of Estates Act, 1925, and he provided that "the name and arms clause contained in the will of Joseph Neeld shall be applicable to this my will so far as my residuary estate is concerned and shall apply to any person taking the income of my net residuary estate." This clause was in terms similar, although not identical, to the Inigo-Jones clause. The testator died in 1956, leaving estate comprising both realty and personalty, his will was proved in 1957, and in 1958 his widow began proceedings under the Inheritance (Family Provision) Act, 1938. Neither the brother nor the grandson of the testator had taken any steps to change their names but the executor had paid £800 to the grandson at his request on account. In the course of administration, before any assents had been made or the net residue ascertained, the executor took out a summons to determine whether the two name and arms clauses were valid and binding on the testator's grandson and brother, or whether they were void for uncertainty or as being contrary to public policy.

CROSS, J., said that the Inigo-Jones clause was substantially a reproduction of the Neeld clause, so that if it were not intelligible as it stood words could be added from the Neeld clause to make it so, and that, on their construction, only one period of twelve months within which the name and arms must be taken was intended by each clause, and discontinuance of the specified name and arms at any time, even after the end of the twelve-month period, would work a forfeiture. The words "discontinue to . . . use" referred back to the earlier words "use on all occasions," and meant that the beneficiary must use the surname on all occasions when he would ordinarily use a surname, and, accordingly, neither clause was void for uncertainty. The fact that a devise was invalid so far as it applied to married women and their husbands was not a sufficient reason for holding it totally void as applied to males and spinsters, and as the beneficiaries under the Inigo-Jones clause were exclusively male and it was only in remote and improbable contingencies that the Neeld clause would affect females, neither clause was contrary to public policy. Both clauses therefore were valid and binding. A life tenant entitled to a composite gift of residuary realty and personalty subject to the payment of debts and legacies did not become entitled to the residue of the income of the net residuary estate until the residue had been ascertained in due course of administration, and since the net residue had not yet been ascertained, the twelve-month period had not begun to run against the brother of the testator and there was no forfeiture. A life tenant of realty specifically devised by a will made since the passing of the Land Transfer Act, 1897, had a vested interest in the yearly rents and profits and became equitably entitled to them as they accrued as from the date of the death of the testator; notwithstanding the possibility of defeasance by the payment of debts or the satisfaction of the widow's application under the Inheritance (Family Provision) Act, 1938, the grandson became "entitled to the actual receipt of the yearly rents and profits" within the meaning of cl. 17 on the testator's death, and, accordingly, more than twelve months having elapsed since that date, there had been a forfeiture of his interest.

APPEARANCES: *N. S. S. Warren*, Q.C. (*Church, Adams, Tatham & Co.*, for *Carpenter & Carpenter*, Bath); *John Bradburn* (*Mawbly, Barrie & Co.*, for *Bell, Pope & Bridgwater*, Southampton); *R. S. Lazarus*, Q.C., and *T. A. C. Burgess* (*Arthur Taylor & Co.*, for *Titley, Long & Co.*, Bath); *W. J. C. Tonge* (*Collyer-Bristow & Co.*, for *Wood & Awdry*, Chippenham).

[Reported by Miss M. G. THOMAS, Barrister-at-Law] **[2 W.L.R. 730**

REGISTER OF
Auctioneers, Valuers, Surveyors, Land and Estate Agents

EAST ANGLIA

Norfolk-Suffolk.—THOS. WM. GAZE & SON, Crown Street, Diss. (290/291). Est. a Century. Chartered Auctioneers, Agricultural, Property and Chattel Valuers.

ESSEX

Benfleet, Hadleigh and South-East Essex.—Messrs. JOHN S. LLOYD, F.A.I., Chartered Auctioneers and Estate Agents, Estate House, Hadleigh, Essex. Tel. 58523.

Brentwood and Mid-Essex.—HOWARD'S & CO. (BRENTWOOD), LTD., Surveyors, Valuers and Estate Agents, 143 High Street, Brentwood. Tel. Brentwood 4338.

Chelmsford, Billericay and Braintree.—FRED TAYLOR & CO., Chartered Auctioneers and Estate Agents, 17 Duke Street. Tel. 55561/2/3, Billericay Tel. 112 and Braintree Tel. 1564.

Chelmsford and Wickford.—R. COOPER HIRST, F.R.I.C.S., F.A.I., Chartered Surveyor, Chartered Auctioneer and Estate Agent, 12 Duke Street, Chelmsford (Tel. 4534) and Market Road, Wickford (Tel. 3058).

Chelmsford and Witham.—BALCH & BALCH, Chartered Surveyors, Auctioneers and Valuers 3 Tindal Square, Chelmsford. Tel. 51551; and Witham Tel. 3381.

Clacton-on-Sea.—DONALD COTTAGE, EAVES & CO., (Chas. W. Eaves, F.A.I., F.A.L.P.A.), 67/69 Station Road, Clacton-on-Sea. Tel. 857/8. And at Holland-on-Sea. Tel. 3270.

Colchester and District.—C. M. STANFORD & SON (Partners and Senior Personnel fully qualified members of Professional Institutes), 23 High Street, Colchester. Tel. 3165 (4 lines).

Hornchurch.—HAYWARD & CO., Surveyors, Valuers and Estate Agents, 163 High Street. Tel. 46635/6.

Ilford.—S. A. HULL & CO., F.A.I., Chartered Auctioneers and Estate Agents, 16 Clements Road. Tel. ILFord 4366/7. and at 404 Cranbrook Road, Gantshill. Tel. Valentine 9525.

Leigh-on-Sea.—GORDON LANE & BUTLER, Auctioneers and Surveyors, 125 Rectory Grove. Tel. 78340.

Leigh-on-Sea.—HAIR (FREDK. G.) & SON, Auctioneers and Surveyors, 1528 London Road. Tel. 78666/7.

Leigh-on-Sea, Rayleigh and Country Districts.—HAROLD W. PINCHBECK, Chartered Surveyor and Valuer (Pinchbeck, Chapman & Co.), 80 Rectory Grove, Leigh-on-Sea (75002) and High Street, Rayleigh Tel. 24.

Maldon.—CLAUDE C. COWELL, F.A.L.P.A., F.V.I., 9 London Road. Tel. 88.

Romford and District.—R. CHEKE & CO., 18 North Street, Hornchurch, Essex. Hornchurch 8688 and branches.

Romford, Upminster and District.—HILBERY CHAPLIN & CO., Chartered Auctioneers, Estate Agents and Surveyors, 135 South Street, Romford (Tel. Romford 45004) and 42 Station Road, Upminster (Tel. Upminster 2866).

Southend-on-Sea and S.E. Essex.—TAYLOR, SON & DAVIS, Auctioneers and Surveyors, 37 Victoria Avenue, Tel. Southend 41201 (3 lines). And at Westcliff-on-Sea and Leigh-on-Sea.

Southend, Westcliff and Country Districts.—H. V. & G. SORRELL, Chartered Surveyors, Auctioneers and Estate Agents, 40 Clarence Street, Southend. Tel. Southend 42225. And at High Street, Rayleigh.

Southend, Westcliff and South East Essex.—TALBOT & WHITE, Chartered Surveyors, Valuers, Auctioneers and Estate Agents, Established 1885. 34 Clarence Street, Southend-on-Sea. Tel. Southend 48137/8, and 29 and 31 Hamlet Court Road, Westcliff-on-Sea. Tel. Southend 47821/2.

Westcliff, Southend-on-Sea and District.—ASHTON AGAR & CO., Chartered Auctioneers and Estate Agents, 589 London Road, Westcliff-on-Sea. Tel. Southend 42624.

Woodford.—MARK LIELL & SON, Chartered Surveyors, 9 High Road, Woodford Green. Tel. Buckhurst 0181. and East Ham.

GLOUCESTERSHIRE

Bath and District and Surrounding Counties.—COWARD, JAMES & CO., incorporating FORTT, HATT & BILLINGS (Est. 1903), Surveyors, Auctioneers and Estate Agents. Special Probate Department. New Bond Street Chambers, 14 New Bond Street, Bath. Tel. Bath 3150, 3584, 4268 and 61360.

Bristol.—C. J. HOLE & SONS (Est. 1867), 70 Park Row, Bristol, 1. Auctioneers, etc. Tel. 24324 (4 lines).

Bristol.—LALONDE, BROS. & PARHAM (Est. 1848), 64 Queens Road. Tel. 27731 (8 lines). And at Weston-super-Mare.

Bristol.—JOHN E. PRITCHARD & CO. (Est. 1790), Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 82 Queens Road, Bristol, 8. Tel. 24334 (3 lines).

Bristol, Somerset and Gloucester.—ALDER, STANLEY & PRICE (Established 1911), Valuation Consultants, 7 St. Stephen's Street, Bristol, 1. Tel. 20301. A. Oliver Perkins, F.R.I.C.S., F.A.I., P.P.I.S.A.L.P.A., R. B. Kislingbury, F.R.I.C.S., F.A.I., A. E. Sutor, F.A.L.P.A., W. H. Mapley, A.R.I.C.S., A.R.V.A., F.A.L.P.A., Auction and Estate Offices, 94E Whiteladies Road, Clifton and Redfield.

Bristol and the West of England.—J. P. STURGE & SONS (Established 1760), Surveyors, Land Agents and Auctioneers, 24 Berkely Square, Bristol, 8. Telephone: 26691 (5 lines).

Cheltenham.—G. H. BAYLEY & SONS, Chartered Auctioneers and Estate Agents, Valuers, 27 Promenade. Tel. 2102.

GLOUCESTERSHIRE (*continued*)

Cheltenham.—VIRGIN & RICHARDS, LTD., F.V.I. Incorporated Valuers and Estate Agents, 3 Clarence Parade. Tel. 56351.

Cheltenham.—YOUNG & GILLING (J. T. Walford, A.R.I.C.S., A. W. Allard, F.A.L.P.A.), Auctioneers, Surveyors and Valuers. Established over a century. 3 Crescent Terrace, Cheltenham. Tels. 2129 and 2433.

Cirencester.—HOBBS & CHAMBERS, Chartered Surveyors, Chartered Auctioneers and Estate Agents. Tel. Cirencester 62/63.

Gloucester.—SANDOE & SONS, Chartered Auctioneers and Estate Agents, Valuers. 4/5 Market Parade.

HAMPSHIRE

Aldershot, Farnborough, Fleet, Hartley Wintney, Alresford and Winchester.—ALFRED PEARSON & SON (established 1900), Surveyors, Valuers, Auctioneers and Estate Agents:
136 Victoria Road, Aldershot (Tel. Aldershot 17);
Clock House, Farnborough (Tel. Farnbor. 1—2 lines);
Fleet Road, Fleet (Tel. Fleet 1066—3 lines);
High St., Hartley Wintney (Tel. Hartley Wintney 233);
25 West Street, Alresford (Tel. Alresford 274);
Walcote Chambers, High Street, Winchester (Tel. Winchester 3388—2 lines).

Aldershot and Surrey and Hants Boarders.—KINGHAM & KINGHAM, Auctioneers, Estate Agents, Surveyors and Valuers, Bank House, Grosvenor Road, Aldershot. Tel. 653 (2 lines).

Alresford.—CUBITT & WEST. Tel. 335. Valuers, Surveyors, Estate Agents.

Alton.—CURTIS & WATSON, Chartered Land Agents. Surveyors, Auctioneers and Valuers. 4 High Street. Tel. 2261/2. And at Hartley Wintney and Basingstoke.

Andover.—F. ELLEN & SON, Land Agents, Auctioneers, Valuers and Surveyors London Street. Tel. 3444 (2 lines). Established 1845.

Basingstoke.—BATESON & NICHOLAS, Auctioneers, Estate Agents, Surveyors and Valuers. 2 Queens Parade (next G.P.O.), New Street. Tel. 566.

Basingstoke.—CURTIS & WATSON, Chartered Land Agents. Surveyors, Auctioneers and Valuers. Tel. 2255/6. And at Alton and Hartley Wintney.

Basingstoke.—SIMMONS & SONS, Surveyors, Valuers, Estate Agents and Auctioneers. Tel. 199.

Bournemouth.—FOX & SONS, Surveyors, Valuers and Auctioneers, 44/52 Old Christchurch Road. Tel. Bournemouth 6300 (10 lines). Branch Offices in all Bournemouth districts and at Parkstone, Ringwood, New Milton, Southampton, Brighton and Worthing.

Bournemouth.—RUMSEY & RUMSEY. Head Office 111 Old Christchurch Road. Tel. Bournemouth 21212. 14 Branch Offices in Hants and Dorset and the Channel Islands.

Fleet.—H. J. POULTER & SON, Estate Agents, Surveyors and Valuers. Central Estate Offices. Tel. 86.

Gosport.—LAWSON & CO., F.V.I., Estate Agents, Valuers, etc. 9 Brockhurst Road. Tel 83303 (2 lines).

Gosport.—L. S. VAIL, F.R.I.C.S., Chartered Surveyor. 79 High Street. Tel. 8732.

Hartley Wintney.—CURTIS & WATSON, Chartered Land Agents. Surveyors, Auctioneers and Valuers. The Estate Offices. Tel. 296/7. And at Alton and Basingstoke.

Havant, Cosham, Portsmouth, Hayling Island.—WHITEHEAD & WHITEHEAD, Chartered Auctioneers and Estate Agents, 5 West Street, Havant. (Tel. 1244/5.) 82 High Street, Cosham. (Tel. 76427/8.) Elm Grove, Hayling Island. (Tel. 77131 and 77148.)

Lymington and Milford-on-Sea.—JACKMAN AND MASTERS (Est. 1886). Auctioneers, Valuers, etc. Tel Lymington 3292/3.

Lymington and New Forest.—HEWITT & CO., F.A.I., Chartered Auctioneers and Estate Agents, Surveyors and Valuers. High Street. Tel. Lymington 2323/4.

New Milton and Barton-on-Sea.—HEWITT & CO. F.A.I. New Milton. Tel. 43.

Petersfield.—CUBITT & WEST. Tel. 213. Valuers, Surveyors, Estate Agents.

Portsmouth.—P. G. LUDLOW, Angerstein Road, North End. Tel. 61441/2.

Southampton.—PRING & CO., F.A.I., 40 The Avenue. Tel. 22171/2.

Southampton and New Forest.—DRIVERS, JONAS & CO. (Est. 1725), incorporating Waller & King, Chartered Surveyors, Land Agents, Auctioneers and Estate Agents. 17 Cumberland Place, Southampton. Tel. Southampton 24545.

Winchester.—SAVAGE & WELLER, Surveyors, Auctioneers, Valuers and Estate Agents, 25 St. Thomas Street, Winchester. Tel. Winchester 2531.

HEREFORDSHIRE

Hereford.—GREENLANDS, LTD., Auctioneers, Estate Agents, Valuers. Church Street. Tel. 2366 (4 lines).

HERTFORDSHIRE

All W. Herts, S. Bucks.—(Messrs.) J. GIBSON CRACKNELL, Surveyors and Valuers. Est. 1897. 59 Whippendell Road, Watford. Tel. 29205.

Berkhamsted and Hemel Hempstead.—R. J. AITCHISON, F.A.I., M.R.San.I.

Cheshunt, Cuffley, Waltham Cross and District.—ROBERT TIDEY & SON, Waltham Cross. Tel. 22964.

(*continued on p. xvi*)

HERTFORDSHIRE (*continued*)

Hertford.—NORRIS & DUVALL, F.R.I.C.S., F.A.I., 106 Fore Street. Tel. 2249.

Hitchin.—J. R. EVE & SON, 5 Bancroft. Surveyors, Land Agents, Auctioneers and Valuers. Tel. 2168.

N. Herts. and S. Beds.—W. & H. PEACOCK, Chartered Surveyors. 8 High Street, Baldock, Herts. Tel. 2185.

Rickmansworth, Chorleywood.—SWANNELL & SLY, 53 High Street, Rickmansworth. Tel. 3141. Valuers Auctioneers, etc.

Tring, Hemel Hempstead and Berkhamsted.—W. BROWN & CO., in general practice. Est. 1832.

ISLE OF WIGHT

Bembridge, Cowes, Freshwater, Newport, Ryde, Sandown, Shanklin, Seaview, Ventnor and Yarmouth.—SIR FRANCIS PITTIS & SON, Chartered Surveyors and Chartered Auctioneers.

Cowes, Newport and all Districts.—A. E. & S. C. WADHAM, F.A.L.P.A. (Est. 1860), Cowes. Tel. 1141 (2 lines).

Newport, Ryde, Freshwater, Sandown, Bembridge—WAY, RIDDETT & CO.

KENT

Ashford.—GEERING & COLYER, Auctioneers, Surveyors and Estate Agents, Bank Chambers, Ashford, and at Hawkhurst and Tunbridge Wells, Kent; Rye, Wadhurst and Heathfield, Sussex.

Ashford, Sandwich and East Kent.—JOHN HOGBIN & SON, Auctioneers, Surveyors, Valuers, Land and Estate Agents. Tel. Ashford 449; Sandwich 3163.

Beckenham.—CHRISTOPHER B. CURTIS, M.B.E., Surveyor and Valuer, 257a Croydon Road. Tel. BECkenham 1000.

Beckenham.—JOLLYE & WOOD, 4 The Broadway, Croydon Road. Tel. Beckenham 1430.

Bexleyheath.—ARTHUR KENT & CO., LTD., Surveyors Valuers and Estate Agents. 124/6 Broadway. Tel. 1244/5.

Bromley.—WATERER & DICKINS, Chartered Surveyors, Chartered Auctioneers & Estate Agents, Valuers. 133 High Street, Bromley, Kent. Telephone RAVensbourne 0147/8.

Canterbury.—F. R. W. BERRY, Auctioneer and Estate Agent, 37 St. Margaret's Street. Tel. Canterbury 5268/9.

Canterbury.—FARQUHARSON & MILLARD, F.R.I.C.S., F.A.I., 80 Castle Street, Canterbury. Tel. 4861/2.

East Kent.—WORSFOLD & HAYWARD, offices at 3 Market Square, Dover; 11 Queen Street, Deal; 4 St. Margaret's Street, Canterbury; and 12 Preston Street, Faversham. Established 1835.

Folkestone.—GEO. MILNE & CO., Auctioneers and Valuers, 107 Sandgate Road. Tel. 3619.

Folkestone.—TEMPLE, BARTON, LTD., F.A.L.P.A., 69 Sandgate Road. Tel. 2258/9.

Folkestone and District.—BANKS & SON (P. R. Bean, F.R.I.C.S., F.A.I.), Chartered Surveyors, Chartered Auctioneers, etc., 6 Bouverie Square, Folkestone. Tel. 4509/3559.

Folkestone and District.—SMITH-WOOLLEY & CO., Chartered Surveyors, Chartered Land Agents, Valuers, Estate Agents, Manor Office. Tel. 51201/2.

Gravesend and Dartford.—PORTER, PUTT AND FLETCHER, F.A.I., Incorporating DANN & LUCAS, Tel. Gravesend 388 and Dartford 3326.

Gravesend and District.—WINNETT, Auctioneers, Estate Agents and Valuers, 155 Milton Road. Tel. Grav. 2229.

Herne Bay.—E. IGGULDEN & SONS (B. Smith, A.R.I.C.S., A.A.I., L. Pilcher), Surveyors, Valuers and Auctioneers, 128 High Street. Tel. 619/620.

Hythe, Saltwood, Romney Marsh and District.—F. W. BUTLER, 86 High Street, Hythe. Tel. 66608.

Maidstone.—H. COUCHMAN & SON, Chartered Surveyors, Chartered Auctioneers and Estate Agents, 42 King Street. Tels. 2558 and 2591.

Maidstone and Mid-Kent.—EVENS & MATTA, A.A.I. M.R.S.H., 70 King Street, Maidstone. Tel. 51283.

Margate.—CLARKE & CRITTENDEN, F.A.L.P.A., Auctioneers and Valuers. Offices: Cliftonville and Westbrook.

Orpington, Petts Wood and West Kent.—MULLOCK, (A. F.) & GOWER (A. F. Mullock, J.P., F.A.L.P.A., C. H. Gower, F.A.I.), 161 High Street. Tel. Orp. 25681/2. And Station Square, Petts Wood. Tel. Orp. 23444.

Ramsgate.—LESLIE HOGBIN, F.R.I.C.S., Chartered Surveyor, Auctioneer, Valuer and Estate Agent. 50 Queen Street. Tel. Thanet 53222/3.

Ramsgate and District.—HOLNESS & OVENDEN, F.A.I., Chartered Auctioneers and Estate Agents, Valuers and Surveyors. Estate House, 73 High Street, Ramsgate. Tel. Thanet 52206/7. Established 1838.

Sandwich and East Kent.—G. C. SOLLEY & CO., Offices: 50 King Street, Sandwich. Tel. 3227.

Sevenoaks.—KEMP & THOMAS, F.A.L.P.A., Estate Agents and Valuers. 11a London Road (Tel. 2916).

Tenterden and the Weald of Kent.—HATCH AND WATERMAN, F.A.I. (Est. 1830), Chartered Auctioneers and Estate Agents. Tenterden. Tel. 33.

REGISTER OF
Auctioneers, Valuers, Surveyors, Land and Estate Agents

KENT (*continued*)

Tonbridge and District.—NEVE & SON, F.A.I., 146 High Street, Tonbridge. Tel. 3223.

Tunbridge Wells.—DILNOTT STOKES, Chartered Surveyors and Auctioneers, 17 Mount Pleasant. Tel. 3000/1.

Welling.—WM. PORTER & CO., LTD., 28 Falconwood Parade, The Green. Tel. Bexleyheath 2977.

Westgate-on-Sea.—BENEFIELD & CORNFORD, Town Hall Buildings. Thanet 31010.

LANCASHIRE

Barrow-in-Furness.—CHARLES G. LOWDEN, F.R.I.C.S., F.A.I., 18/24 Cornwallis Street, Chartered Surveyor, Chartered Auctioneer, Estate Agent and Valuer. Tel. Barrow 364.

Blackpool and District.—AIREYS', Chartered Auctioneers and Estate Agents, Valuers and Surveyors, 18 Dickson Road, Blackpool. Tel. 22225/6.

Blackpool and Fylde Coast.—J. ENTWISTLE & CO., Auctioneers, Valuers and Estate Agents, Station Chambers, 2 Dickson Road, Blackpool. Tel. 20093/4.

Grange-over-Sands.—MICHAEL C. L. HODGSON, Auctioneers and Valuers. Tel. 2253.

Liverpool.—BOULT, SON & MAPLES, 5 Cook Street. Tel. Central 9941 (7 lines). And at West Kirby.

Liverpool.—SMITH & SONS (Est. 1840), Valuers, etc. 6 North John Street, Central 9386. And at Birkenhead.

Liverpool and District.—H. H. & J. ROBINSON, Auctioneers, Estate Agents and Valuers, 42 Castle Street, Liverpool, 2. Tel. Central 6727. And at 117 South Road, Liverpool, 22.

Liverpool and District.—JOS. RIMMER & SON, 48 Castle Street, Liverpool, 2. Tel. Central 3068. Chartered Surveyors, Chartered Auctioneers and Estate Agents.

Liverpool and Wirral.—T. MARTIN BROWN, F.A.I., Valuer & Estate Agent, Coopers Buildings, Church Street, Liverpool, 1. Tel.: Royal 3373/4 and 3 Garston Old Road, Liverpool, 19. Tel.: Garston 358.

Manchester.—ALFRED H. GARDNER & SON, F.A.I., Chartered Auctioneers and Estate Agents, 56 Mosley Street. Tel. Central 8985/6. And at Cheadle Hulme.

Manchester.—CLAYTON, SON & CROWTHER, Auctioneers, Valuers and Estate Agents, 76 Mosley Street, Manchester, 2. Tel. Cen. 4943/4.

Manchester.—STUART MURRAY & CO., Auctioneers, etc., 64a Bridge Street. Tel. Blackfriars 5747. And at Altrincham.

Manchester and Oldham.—LESLIE D. CLEGG MORGAN & CO., Chartered Surveyors, Specialists in Town Planning, Rating and Compensation, Prudential Buildings, Union Street, Oldham. Tel. MAin (Oldham) 6401/3. And at 63 Princess Street, Manchester, 2. Tel. Central 7755.

Preston.—E. J. REED & SONS, F.A.I., Chartered Auctioneers and Estate Agents, 47 Fishergate. Tel. 3249

Rochdale.—ROSSALL, DALBY & PARKER, Auctioneers and Valuers, 5 Blackwater Street. Tel. 3677.

Rochdale and District.—R. BIRTWELL & SON, Chartered Auctioneers and Estate Agents, Valuers, 5 Baillie Street. Tel. 2826.

Rochdale and District.—SHEPHERD LUMB & CO., Auctioneers, etc., The Public Hall, Baillie Street. Tel 3826

LEICESTERSHIRE

Leicester.—DONALD BOYER, F.A.I., Chartered Auctioneer & Estate Agent, Valuer-Mortgage, Probate Insurance, Northampton Street. Tel. 21564 (and Rugby).

Leicester and County.—RANDLE & ASPELL (F. E. J. Randle, F.V.I., C. G. Hale, F.A.I., A.A.L.P.A., G. H. Aspell, A.R.I.C.S., F.A.I., M.R.San.I.), 74 Halford Street. Tel. 5137/8.

Market Harborough.—HOLLOWAY, PRICE & CO., Est. 1809. Chartered Surveyors, Chartered Auctioneers. Tel. 2411.

LINCOLNSHIRE

Grantham and District.—BAILEY & AMBLER, Chartered Auctioneers and Estate Agents, Westminster Bank Chambers, Grantham, Lincs. Tel. 418 (2 lines)

Scunthorpe and District.—SPILMAN, GLASIER AND LONSDALE, Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 72 Mary Street, Scunthorpe. Tel. 3803. Est. over 75 years.

Spalding.—S. & G. KINGSTON, F.A.I., Auctioneers, etc., Hall Place Chambers. Tel. 2011.

MIDDLESEX

Edgware.—E. J. T. NEAL, F.R.I.C.S., F.A.I., 39 Station Road. Tel. EDG. 0123/4.

Enfield and North London.—CAMPION & DICKINS, Surveyors, Valuers, etc., 28 Little Park Gardens, Enfield. Enfield 1224/5.

Harrow.—CORBETT ALTMAN & CO., A.R.I.C.S., F.A.I., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 40 College Road, Harrow. Tel. Harrow 6222. Also Rating, Compensation and Planning Surveyors.

Harrow.—E. BECKETT, F.A.I., Surveyor, Chartered Auctioneer and Estate Agent, 7 College Road, Harrow. Tel. Harrow 5216. And at Sudbury, Wembley, North Harrow and Moor Park, Northwood.

Harrow.—P. N. DEWE & CO. See "London Suburbs" Section Established 1925.

MIDDLESEX (*continued*)

Harrow.—WARNER & CO. (T. A. Warner, F.A.L.P.A.), Surveys, Valuations, etc., Specialists in Urban Estate Management, 51 Station Road, North Harrow. Tel. Harrow 9636/7/8.

Harrow.—G. J. HERSEY AND PARTNER, Chartered Auctioneers and Surveyors, Rating and Factory Valuers, 44 College Road, Harrow, Middlesex. Tel. HARrow 7484; 368 Bank Chambers, 329 High Holborn, W.C.1.

Harrow.—Messrs. JOHN SEARCY (J. H. Searcy, M.Inst.R.E., F.A.I., Chartered Auctioneer and Estate Agent; J. Gray, F.A.L.P.A., Incorporated Auctioneer and Estate Agent), 21 College Road, Harrow. Tel. Harrow 9323-4. Adjoining Harrow-on-the-Hill Metro Station.

Harrow and District.—BARR & MEAD (C. Grainger, F.A.L.P.A., M.R.San.I.), 202 Northolt Road, S. Harrow. (Tel. Byron 1023 (5 lines)), and 15 College Road, Harrow (Tel. Harrow 5178 (3 lines)). Also at Ruislip and Pinner.

Hayes.—KEVIN & FIELD, LTD. (Lister S. Camps, F.F.S., F.V.I., M.R.S.H.), Grange Chambers, Uxbridge Road. Tel. Hayes 3691/2.

Hounslow.—ROPER, SON & CHAPMAN, Auctioneers, Surveyors, etc., 162 High Street. Tel. HOU 1184.

Moor Park and Northwood.—E. BECKETT, F.A.I., Surveyor, Chartered Auctioneer and Estate Agent, MOOR PARK ESTATE OFFICE, Moor Park Station, Northwood. Tel. Northwood (NH2) 4131. And at Harrow, North Harrow and Sudbury, Wembley.

Northwood.—GILBERT LUCK, F.A.L.P.A., Surveyors and Valuers, 58 Green Lane, Northwood. Tel. 2352/3/4, and 111 Pinner Road, Northwood Hills.

Northwood and Pinner.—MANDLEY & SPARROW, Auctioneers, Valuers, etc., 25 Maxwell Road, Northwood. Tel. 3295/6. And branches in Hertfordshire.

Northwood and Pinner.—SWANNELL & SLY, 3 Maxwell Road, Northwood. Tel 19. Valuers, Auctioneers, etc.

Pinner and District.—BARR & MEAD (C. Grainger, F.A.L.P.A., M.R.San.I.), 2 High Street, Pinner. PINner 7727 and 7800. Also at South Harrow, Harrow and Ruislip.

Pinner (Hatch End).—BRODIE, MARSHALL & CO., Auctioneers, Valuers and Estate Agents, 339 Uxbridge Road, Hatch End. Telephone Hatch End 2238 and 2239.

Ruislip and District.—BARR & MEAD (C. Grainger, F.A.L.P.A., M.R.San.I.), 108 High Street, Ruislip. Tel. Ruislip 2215 and 4583. Also at South Harrow, Harrow and Pinner.

Ruislip, Ickenham and District.—JOHN MEACOCK AND CO., 123/125 High Street, Ruislip. Tel. Ruislip 3072/3/4. And opposite the Church, Ickenham. Tel. Ruislip 5526 and 9824.

Southall and Greenford.—AUSTIN FARR & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 11 South Road, Southall. SOU 6555 (4 lines) 45 The Broadway, Greenford WAX 4642/4438.

Stanmore.—SYDNEY WARD, LTD. (W. C. Wedgewood, F.V.I.), 41 Church Road, Stanmore. Tel. GRImsdyke 120.

Wembley Park.—LLOYDS (Principal D. J. Westmore, F.R.I.C.S., M.R.San.I.), Chartered Surveyors, Auctioneers and Valuers. 13 Bridge Road. Tel. Arnold 1123/4.

West Drayton and Yiewsley.—R. WHITLEY & CO., Chartered Auctioneers and Estate Agents, 40 Station Road. Tel. W. Drayton 2185.

NORFOLK

Cromer.—R. J. WORTLEY, F.R.I.C.S., Chartered Surveyor, etc., 15 Church Street. Tel. Cromer 2069.

Norwich.—ALDRIDGE & PARTNERS, 22 Surrey Street, Surveyors and Estate Agents. Tel. Norwich 28517/8.

Norwich.—CLOWES, NASH & THURGAR, Est. 1848 (H. M. Thurgar, F.A.I., R. F. Hill, F.A.L.P.A., C. M. Thurgar, A.A.I.), 6 Tombland. Tel. 27261/2

Norwich.—J. E. TAYLOR, F.A.L.P.A., Auctioneer and Estate Agent, 25 Tombland. Tel. 26638.

Norwich and East Anglia.—K. H. FIELDING & SON (J. L. Fielding, F.R.I.C.S., F.A.I.), Chartered Surveyors, etc., 1 Upper King Street, Norwich. Tel. 22980.

West Norfolk.—CRUSO & WILKIN, Chartered Auctioneers and Estate Agents, 27 Tuesday Market Place, King's Lynn. Tel. King's Lynn 3111/2.

NORTHAMPTONSHIRE

Northampton and Daventry.—MERRY, SONS & CO., LTD., Auctioneers, Valuers and Estate Agents, 9 Fish Street, Northampton. Tel. 136. 33 Sheaf Street, Daventry. Tel. 336.

Northampton and District.—WOODS & CO., F.A.I., Chartered Auctioneers and Estate Agents, Valuers, 18 Castilian Street, Northampton. Tel 3300/1. Established 85 years.

Peterborough and District.—DAKING & DAKING. Est. 1887. Auctioneers, Valuers, Surveyors and Estate Agents, Broadway, Peterborough. Tel. 5245/6.

Peterborough and District.—FOX & VERGETTE, Auctioneers, Valuers, Surveyors and Estate Agents, 16 Priestgate. Tel. 4261/2. Est. over 150 years.

Peterborough and East Northants.—NORMAN WRIGHT, Chartered Surveyor, Chartered Auctioneer and Estate Agent, 26 Priestgate, Peterborough. Tel. 5695/6.

(*continued on p. xvii*)

NORTHUMBERLAND

Newcastle upon Tyne, covering the North.—HINDMARSH, HEPPELL & BOURN (Est. 1862), Chartered Auctioneers and Estate Agents, Surveyors, 61 Westgate Road, Newcastle upon Tyne. And at Wallsend-on-Tyne.

NORTHUMBERLAND AND DURHAM

HINDMARSH & PARTNERS, Chartered Surveyors, Valuers, Auctioneers and Estate Agents, 49 Park View, Whitley Bay (Tel. 23351/2), 107 Northumberland St., Newcastle (Tel. 610081 (4 lines)). And at Gateshead and Alnwick.

Newcastle.—DAVID A. LARMOUR & SON, F.R.I.C.S., F.A.I., Saville Row. Tel. Newcastle 20727/8.

WALLHEAD GRAY & COATES, Chartered Auctioneers, and Estate Agents, Surveyors and Valuers, 84 Pilgrim Street, Newcastle. (Tel. 27471/2.) 75 West Street, Gateshead. (Tel. 72197.) 7 Priestpopple, Hexham. (Tel. 302.) 26 Frederick Street, Sunderland. (Tel. 2544.)

NOTTINGHAMSHIRE

Newark.—EDWARD BAILEY & SON, F.A.I., Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 7 Kirkgate, Newark. Tel. 39.

Nottingham.—ROBERT CLARKE & CO., Chartered Surveyors and Rating Valuers, Oxford Street. Tel. 42534/5.

Nottingham.—WALKER, WALTON & HANSON, Chartered Surveyors and Valuers, Chartered Auctioneers and Estate Agents, Byard Lane. Est. 1841. Tel. Nottingham 54272 (7 lines).

Retford.—HENRY SPENCER & SONS, Auctioneers, 20 The Square, Retford, Notts. Tel. 531/2. And at 4 Paradise Street, Sheffield. Tel. 25206. And 91 Bridge Street, Worksop. Tel. 2654.

OXFORDSHIRE

Bicester, Thame and Oxford.—E. P. MESSENGER & SON, Chartered Surveyors, Auctioneers, Valuers, etc. Thame 263/4; Bicester 10; and Oxford 47281.

Oxford and District.—BUCKELL & BALLARD. Est. 1887. R. B. Ballard, F.A.L.P.A., H. I. F. Ryan, F.R.I.C.S., F.A.I., H. S. Ballard, A.R.I.C.S., F.A.I., 58 Cornmarket Street, Oxford. Tel. 44151, and at Wallingford, Berks. Tel. 3205.

Oxford, Banbury and surrounding districts.—E. J. BROOKS & SON, F.A.I. (Established 1840), Chartered Auctioneers and Estate Agents, Surveyors and Valuers, "Gloucester House," Beaumont Street, Oxford. (Tel. 4535/6), and 54 Broad Street, Banbury (Tel. 2670).

Thame and District.—PERCY BLACK & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 60 North Street. Tel. 288.

SHROPSHIRE

Craven Arms.—JACKSON & McCARTNEY, Chartered Auctioneers, Valuers and Estate Agents. Tel. 2185.

Shrewsbury.—HALL, WATERIDGE & OWEN, LTD., Chartered Auctioneers, Valuers and Estate Agents. Tel. 2081.

Shrewsbury and South Shropshire.—DEAKIN & COTTERILL, 8 Wyle Cop, Shrewsbury, Auctioneers, Estate Agents and Valuers. Tel. 5306 and 2313. And at Church Stretton.

Wellington.—BARBER & SON, Auctioneers, Valuers, Surveyors and Estate Agents, 1 Church Street. Tel. 27 and 444 Wellington.

Whitchurch.—JOSEPH WRIGHT, Auctioneers, Valuers and Estate Agents, 15 Watergate Street, Whitchurch. Tel. 62.

SOMERSET

Bath and District and Surrounding Counties.—COWARD, JAMES & CO., incorporating FORTT, HATT & BILLINGS (Est. 1903), Surveyors, Auctioneers and Estate Agents, Special Probate Department, New Bond Street Chambers, 14 New Bond Street, Bath. Tel. Bath 3150, 3584, 4268 and 61360.

Bath and District.—Estate Agents, Auctioneers and Valuers. Valuations for Probate, Mortgage, etc. HALLETT & CO., 3 Wood Street, Queen Square, Bath. Tel. 3779 and 2118.

Bath and District.—JOLLY & SON, LTD. (Est. 1825.) Estate Agents and Valuers, Funeral Directors. Probate Valuers, Chattell Auction Rooms, Milsom Street, Bath. (Tel. 3201.)

Bath, Bristol and Districts.—LOUIS POWELL & CO., Incorporated Auctioneers, Estate Agents and Valuers, 1 Princes Buildings, Bath. Tel. 2127.

Bath and the West.—CRISP'S ESTATE AGENCY (C. Cowley, F.V.I., Incorporated Surveyor and Valuer, J. L. Cowley, A.A.I., Chartered Auctioneer and Estate Agent) (Est. 1879), Abbey Chambers, York Street, Bath. Tel. 3606 and 61706.

Crewkerne—25 miles radius.—TAYLOR & CO., Auctioneers, Valuers, Surveyors, Estate Agents. Tel 546.

Taunton and District.—C. R. MORRIS, SONS AND PEARD, Land Agents, Surveyors, Valuers, Auctioneers, 6a Hammet Street. Tel. 2546. North Curry. Tel. 319.

Probate, Divorce and Admiralty Division

DIVORCE: PRACTICE: PLEADING: FORM OF ANSWER

Finch *v.* Finch

Mr. Commissioner Latey, Q.C. 18th March, 1960

Petition for divorce.

A wife filed a petition seeking dissolution of the marriage on the ground of her husband's cruelty and adultery. The husband filed an answer which consisted of a bare denial of the wife's charges. At the hearing of the suit the cross-examination of the wife proceeded on the basis of certain acts of violence and ill-temper on her part which had provoked some degree of retaliation on the part of the husband. Counsel for the wife sought to exclude those matters on the ground that they should have been pleaded in the husband's answer. In the course of the hearing leave was granted to the husband to amend his answer to make, by way of cross-petition, a charge of desertion against the wife.

MR. COMMISSIONER LATEY, Q.C., referred to the submission of counsel for the wife, who based himself on R.S.C., Ord. 19, r. 15. The doctrine as to pleading confession and avoidance or accord and satisfaction in common law and Chancery actions was well established, but it had never obtained in matrimonial causes as something which had to be pleaded. Rule 17 of the Matrimonial Causes Rules, 1957, which dealt with the point, imposed no obligation upon the defending party to set up more than a bare denial, although it left him free to do so if so advised. An apt explanation on the point raised by counsel for the wife was given in *Thompson* v. *Thompson* [1957] P. 19, a case based on cruelty charges in which the pleadings of both parties were prolix. Denning, L.J., said that all that was needed from the wife respondent was a denial of the charge of cruelty. Speaking generally, he said: "The respondent should also remember that in his answer he need only deny that he is guilty of cruelty. He need not go on to say what happened on the occasion in question." Thus, both by law and practice, the objections of counsel for the wife could not be sustained. The underlying principle in matrimonial causes was that all the relevant facts to enable the court to come to a decision should be adduced in order that the court might, if satisfied of a matrimonial offence, possibly change the status of the parties. His lordship at the conclusion of his judgment, rejecting the charges of cruelty and adultery made against the husband, the intervener having already been dismissed from the suit, found that the wife had deserted the husband and dismissed the prayer of the petition and granted a decree nisi to the husband on the prayer of his cross-petition.

APPEARANCES: *S. C. Silkin* and *R. D. L. Kelly* (*Barradale, Blacket, Gill, Silkin & Young*); *K. Bruce Campbell* and *Elaine Jones* (*Prothero & Prothero*).

[Reported by Miss ELAINE JONES, Barrister-at-Law] **[1 W.L.R. 429**

Restrictive Practices Court

RESTRICTION: BAKING INDUSTRY: WHETHER RECOMMENDATION OF MAXIMUM PRICE CONTRARY TO PUBLIC INTEREST

***In re* Federation of Wholesale and Multiple Bakers' (Great Britain and Northern Ireland) Agreement**

Pearson, J., Mr. W. Wallace and Mr. W. G. Campbell

16th December, 1959

Reference.

From 1941 to September, 1956, the price of bread was subject to Governmental control and a subsidy system was in operation. After decontrol, the Federation of Wholesale and Multiple Bakers (Great Britain and Northern Ireland), a trade association within the meaning of s. 6 (8) of the Restrictive Trade Practices Act, 1956, issued recommendations to its members as to the retail selling price of standard bread. In July, 1957, the registrar referred the federation's agreement to the court. In April, 1958, the federation adopted a memorandum under which any specific recommendations as to the retail price of standard bread were to be in the form of a maximum price, and an elaborate formula regulating the price to be recommended and setting out a system of costing, which system, in substance, was based on that adopted by the Ministry during the period of control. Recommendations were also made as to a fixed retailers' margin for standard bread. The federation had no power in its rules to enforce the observance by members or retailers of the recommended prices. Members were all large multiple bakers and the federation formed one of the three main sections of the bread industry in England and Wales. While the maximum recommended prices were low for high cost producers, they were not low for low cost producers and most of the members were making good profits. Sales below the recommended maximum had hardly ever taken place. Demand for standard bread was declining. The federation sought to justify its retail price recommendations under s. 21 (1) (*b*) of the Act on the ground that their removal would deny to the public the benefits or advantages of the limitation of upward movement of prices inherent in a maximum price, and there would be a real risk that prices would rise.

PEARSON, J., reading the judgment of the court, said that by virtue of s. 6 (7) the prima facie presumption under s. 21 (1), which it was for a respondent to displace, applied to the recommendations. The court was not bound to confine its attention to the formal effect of the recommended maximum prices but should consider how they effectively operated in practice. While a collective price control stated in terms of maximum prices might in certain circumstances be beneficial, the federation's recommendations in fact did not operate as maximum price recommendations and therefore were not substantially beneficial by virtue of their description of the price as maximum. Nor did they tend to keep prices of standard bread below what they would be if there were no such restrictions, and the court was not satisfied that there was any serious risk that their abolition would cause prices to rise. The profits shown by the formula were too favourable to justify the claim that it adequately protected the consumer, and the basis of the formula itself was open to criticism. It was neither realistic nor necessary to take as a foundation methods evolved during the different conditions of price control. In the face of declining demand and ample and increasing capacity the long-term natural force of competition which it was important to preserve as the ultimate safeguard would seem to favour some reduction in prices. The federation therefore had not made out its case and there would be a declaration that the restrictions involved in the present system were contrary to the public interest. Declaration accordingly.

APPEARANCES: *Sir Milner Holland*, Q.C., and *Robert Lochner* (*McKenna & Co.*); *John Megaw*, Q.C., and *R. A. Barr* (*Treasury Solicitor*).

[Reported by Miss J. F. LAMB, Barrister-at-Law] **[1 W.L.R. 393**

RESTRICTIVE PRACTICES: MINIMUM PRICES FOR QUALITY CARPETS: WHETHER IN PUBLIC INTEREST

***In re* Federation of British Carpet Manufacturers' Agreements**

Upjohn, J., Sir Stanford Cooper and Mr. W. L. Heywood

21st December, 1959

Two references.

By its standards of trading, the Federation of British Carpet Manufacturers imposed minimum prices for certain qualities of Axminster and Wilton carpets and a wholesale

discount of 11 to 12½ per cent. payable only to wholesalers on its approved list, and prevented generally quantity discounts and direct sales by its members to consumer buyers. All its members and all the wholesalers on the approved list undertook to observe the standards of trading. On a reference by the Registrar of Restrictive Trading Agreements, the federation sought to justify the restrictions in its standards of trading on the grounds that they provided the public with specific and substantial benefits and that their removal would lead to a substantial reduction in exports.

UPJOHN, J., reading the judgment of the court, said that they did not find any justification for the restriction on direct sales to consumer buyers in the pleadings. Nor was there any justification for it to be found in the Restrictive Trade Practices Act, 1956, s. 21 (1) (*b*). It was said that without it the retailer would refuse to deal in the goods of the manufacturer. They did not accept that for a moment. This restriction was plainly bad. The price fixed by the federation to retailers was arbitrary. To suggest, as the pleadings did, that the price was regarded by the public as proper and reasonable, was a meaningless phrase. First, because the public were wholly ignorant of the standard price; secondly, because they had to pay a price arbitrarily imposed upon the retailer by manufacturers and in addition whatever mark up the retailer thought it was commercially prudent to add. If the pleadings intended to suggest that the retail price charged to the public was regarded by them as reasonable, that was not established by evidence and the court did not accept it. They believed that if the quality price restriction went, the force of competition would tend to lower prices and that the public would be offered a large range of excellent carpets at competitive prices. Looking at the matter generally, it seemed clear that the prices fixed gave no assurance that they would be reasonable in the interests of the public, whose interests indeed did not seem to be considered at all. Changes in carpet prices for the standard qualities seemed to be no more than informed guesses, taking into account a large number of factors, many of them not related to costs at all. Prices so fixed could not fairly be described as other than arbitrary. The avowed object of the wholesale list was to keep "brass-platers" out of the trade and ten criteria had been laid down by the federation as the principal factors to be taken into account when judging suitability for admission to the list. The court were prepared to accept that admission to the wholesale list when it was first administered was intended to be regulated to keep out the brass-plater. However, they were completely satisfied upon the evidence that for some years now the committee had ruled upon applications for admission in an arbitrary manner entirely for the benefit of the manufacturers and the ten criteria were seldom if ever applied in a bona fide way. Their decisions in practice went far beyond the ostensible object of keeping out the brass-plater. They kept out, quite arbitrarily, a number of genuine wholesalers who would satisfy, and well satisfy, the principal criteria, and the court had seen in the witness box some wholesalers who, if the ten criteria had been seriously applied, must have been admitted to the list. It was said that these matters were discussed at great length in the Terms Sectional Committee, yet the secretary never recorded anything more than the decision. He made no attempt to record the sense of the meeting or state the reasons for any decision and the normal practice was never to give to the applicant any reason for refusal of his application. That, in itself, indicated a failure to operate the ten criteria for the purposes of which the applicant had laboriously but so often uselessly filled in the questionnaire. As the scheme had been operated, however, the result seemed to be as follows. The manufacturers benefited greatly by getting from their point of view good prices for their carpets which they fixed and by paying a low rate for distribution. The wholesaler fortunate enough to be on the wholesale list had some benefit by reduction in competition. It was a convenience (no more) to the retailer not to have to take some trouble in appraising the quality of carpets, but, on the other hand, he had a less good wholesale coverage. To the general public, the court could see no benefit at all. They were paying prices which were probably too high and the retailer to whom they went might not have the range of carpets which he otherwise would have. The court thought the public would continue to obtain an adequate range of carpets of all qualities if the restrictions were abolished. It was clear that in a rapidly declining export market the proportion of exports of A1 was also declining. There seemed little ground, therefore, for anticipating that the abolition of the standard quality-cum-price would be likely *per se* to cause a substantial reduction in the export trade. The figures suggested that a reduction was likely to occur in any event. This case failed on those figures.

APPEARANCES: *J. G. Foster*, Q.C., *R. O. Wilberforce*, Q.C., and *A. R. Barrowclough* (*Simmons & Simmons*); *A. A. Mocatta*, Q.C., and *W. A. Bagnall* (*Treasury Solicitor*).

[Reported by NORMAN PRIMOST, Esq., Barrister-at-Law] **[1 W.L.R. 356**

PRACTICE NOTE

QUEEN'S BENCH DIVISION

APPEARANCE BY POST

As from 2nd May next when R.S.C., Ord. No. 1, 1960 (S.I. 1960 No. 545), comes into force, defendants' solicitors as well as defendants personally will be able to enter appearance by post. In consequence of this new rule the masters of the Queen's Bench Division have prescribed modified forms of writs for use in London and also in district registries. These modifications refer to appearances by defendants mentioned in the footnotes on the writs and, in substance, are as follows:—

Memorandum on London Writs: "The defendant may enter appearance personally or by solicitor either by handing in the appropriate forms, duly completed, at the Central Office, Royal Courts of Justice, London, or by sending them to that office by post. The appropriate forms may be obtained by sending a postal order for 10d. with an addressed envelope, foolscap size, to the Controller of Stamps, Royal Courts of Justice, London."

Memorandum on District Registry Writ: "A defendant who resides or carries on business within the above-named district must enter appearance either personally or by solicitor by handing in the appropriate forms, duly completed, at the office of the district registrar, or by sending them to that office by post. A defendant who neither resides nor carries on business within the above-named district may enter appearance personally or by solicitor either (1) by handing in the appropriate forms, duly completed, at the office of the district registrar or by sending them to that office by post, or (2) by handing in the said forms, duly completed, at the Central Office, Royal Courts of Justice, London, or by sending them to that office by post. If a defendant enters an appearance in London personally or by solicitor there must be endorsed on the memorandum of appearance and on the copy thereof (1) the name of the district registry, (2) a statement that the defendant neither resides nor carries on business within the district of the district registry and (3) the name of the plaintiff or his solicitor and his address for service."

There will be no fixed date for bringing these new forms into use—the existing forms may still be used until the supply is exhausted. It is for this reason in particular that the attention of solicitors is drawn to this new method of appearance so that they may insure that the appropriate forms are filled up properly; as failure to do so may cause the memorandum of appearance to be rejected and before any corrections can be made in it the plaintiff may have signed judgment in default.

W. REDMAN,
Secretary to the Masters.

REGISTER OF
Auctioneers, Valuers, Surveyors, Land and Estate Agents

SOMERSET (*continued*)

Weston-super-Mare.—F. S. GARDINER, Estate Agent, 47 Oxford Street. Tel. 6312/3.

Weston-super-Mare.—LALONDE BROS. & PARHAM (Est. 1848), 23 Waterloo Street (Tel. 4500); and at Bristol.

Weston-super-Mare and District.—MASTERS & CO., F.R.I.C.S., F.A.I., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 5 High Street. Tel. 6443/4.

Yeovil and District.—PALMER, SNELL & CO., Chartered Auctioneers and Estate Agents, Surveyors and Valuers. Tel. 25 and 1796. London Office: 130 Mount Street, W.1.

STAFFORDSHIRE

Stoke-on-Trent and North Staffs.—CHARLES BUTTERS & SONS. Established 1856. Chartered Auctioneers, Surveyors, Valuers and Estate Agents, Trinity Buildings, Hanley, Stoke-on-Trent. Tel. 2138/9. Also at Leek.

SUFFOLK

Bury St. Edmunds and East Anglia.—LACY SCOTT AND SONS, 3 Hatter Street, Bury St. Edmunds. Phone 43 and 692.

Ipswich and East Anglia.—SPURLINGS & HEMPSON (Est. 1780), Chartered Surveyors, Chartered Auctioneers, 26 Princes Street, Ipswich. Tel. 51807/8.

Ipswich and East Anglia.—WOODCOCK & SON, 16 Arcade Street, Ipswich. Tel. 54352 (2 lines). Specialists in Selling Country Property and Farms. Established 1850.

Woodbridge and East Suffolk.—ARNOTT & CALVER, Auctioneers and Valuers. Est. 1870. Tel. 179.

SURREY

Addiscombe, Shirley, Croydon.—MILLER, WILKINS AND CO., Auctioneers, Surveyors and Valuers, 191 Lower Addiscombe Road. Tel. ADDiscombe 2233/4; and 142 Wickham Road, Shirley. Tel. ADDiscombe 4021.

Ashtead and Leatherhead.—DOUGLAS & CO., F.A.L.P.A. Principal Office: 8 High Street, Leatherhead. Tel. 4136/7 (5 Offices).

Camberley (Hants and Berks Borders).—SADLER AND BAKER, Chartered Auctioneers and Estate Agents, 95 High Street. Est. 1880. Tel. 1619.

Caterham and District, Sanderstead to Purley.—J. C. O'BRIEN, Station Avenue, Caterham. Tel. 4255 and 348. Limpsfield Road, Sanderstead. Tel. 4426.

Cobham.—EWBANK & CO., in association with Mann and Co. Est. 1891. Tel. 47. Offices throughout West Surrey.

Coulsdon.—SINDEN, TOMKINS & KING, F.A.L.P.A., Valuers, Surveyors and Estate Agents, 26 Chipstead Valley Road. Tel. UPLands 0600.

Croydon.—BLAKE, SON & WILLIAMS. Est. 1798. Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 51 High Street, Croydon. CROydon 7155/6.

Croydon, Addiscombe and Wallington.—BOWDITCH & GRANT. (Est. 1881). Surveyors, Valuers, Auctioneers, 103/105 George Street, Croydon. Tel. CRO 0138/9.

Croydon and District.—JOHN P. DICKINS & SONS, Surveyors, Valuers and Estate Agents. Est. 1882. 2 and 4 George Street, Croydon. CROydon 3128/9/0.

Croydon and London.—HAROLD WILLIAMS AND PARTNERS, Chartered Surveyors, Valuers, Chartered Auctioneers and Estate Agents, 80 High Street, Croydon. Tel. Croydon 1931. And at 70 Victoria Street, S.W.1. Tel. Victoria 2893.

Croydon and Epsom.—ROBT. W. FULLER, MOON AND FULLER, Chartered Surveyors, Valuers and Auctioneers, 85 High Street, Croydon (CRO 3124/6), and at Epsom (communications to Croydon Office). Established 1824.

Croydon and Sutton.—SAINT, SYMINGTON AND STEDMAN, Surveyors, Auctioneers and Valuers. 106 High Street, Croydon. Tel. CRO 2216/7. And at 6 Cheam Road, Sutton. Tel. VIG 7616/7.

Dorking.—ARNOLD & SON, Auctioneers & Surveyors, 171 High Street and branches. Est. 1855. Tel. 2201/2.

Dorking.—WHITE & SONS, 104 High Street. Agricultural and General Surveyors and Valuers. Tel. 3255.

Dorking & London.—PEARSON, COLE & SHORLAND, Auction and Estate Offices, Dorking. Tel. 3897/8. Surveyors, Valuers and Auctioneers; and at 2 Hans Road, S.W.3. Tel. Kensington 0066.

Dorking, Bookham and Effingham.—CUBITT AND WEST. Tel. Dorking 2212, Bookham 2744. Valuers, Surveyors, Estate Agents.

Dorking and Reigate.—A. R. & J. GASCOIGNE-PEES, F.A.L.P.A., Auctioneers, Estate Agents and Surveyors, 258/260 High Street, Dorking. Tel. 4071/2. 6 Church Street, Reigate. Tel. 4422/3. And at Leatherhead and Epsom.

Epsom and Ewell.—DOUGLAS & CO., F.A.L.P.A. Principal Office: 10 High St., Epsom. Tel. 2362/4 (5 Offices, Ewell to Leatherhead).

Epsom and Leatherhead.—A. R. & J. GASCOIGNE-PEES, F.A.L.P.A., Auctioneers, Estate Agents and Surveyors, 21 High Street, Epsom. Tel. 4045/6. 4 Bridge Street, Leatherhead. Tel. 4133/4. And at Reigate and Dorking.

Esher.—EWBANK & CO., in association with Mann & Co. Est. 1891. Tel. 3537/8. Offices throughout West Surrey.

Esher and District.—W. J. BELL & SON, Chartered Surveyors, Valuers, Auctioneers and Estate Agents, 51 High Street. Tel. Esher 12.

SURREY (*continued*)

Ewell.—WILTSHIRES, Estate Agents, Surveyors, Auctioneers and Valuers, 55 High Street. Tel. Ewell 1665/6.

Farnham.—H. B. BAVERSTOCK & SON, Chartered Auctioneers and Estate Agents, 4 Castle Street. Tel. 5274 (2 lines).

Farnham.—CUBITT & WEST. Tel. Farnham 5261. Valuers, Surveyors, Estate Agents.

Farnham.—GERMAN, ADDY & CO. (Est. 1903). Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 111 West Street. Tel. 5283/4.

Godalming.—H. B. BAVERSTOCK & SON, Chartered Auctioneers and Estate Agents, Estate Offices. Tel. 1722 (5 lines).

Guildford.—MANN & CO., Est. 1891, 22 Epsom Road. Tel. 62911/2. Offices throughout West Surrey.

Guildford.—MESSENGER, MORGAN & MAY, Chartered Surveyors, 8 Quarry Street. Tel. 2992/4.

Haslemere.—H. B. BAVERSTOCK & SON, Chartered Auctioneers and Estate Agents, 20 High Street. Tel. 1207.

Haslemere and Hindhead.—CUBITT & WEST. Tel. Haslemere 2345/6/7, Hindhead 63. Valuers, Surveyors, Estate Agents.

Kingston.—A. G. BONSOR, STEVENS & CO., Est. 1899, 82 Eden Street. Tel. KIN 0022.

Kingston.—NIGHTINGALE, PAGE & BENNETT, Est. 1825, Chartered Surveyors, 18 Eden Street. Tel. KIN 3356.

Kingston upon Thames and Area.—BENTALLS ESTATE OFFICES (L. J. Smith, F.A.L.P.A., P. F. Parkinson, B.Sc., A.A.L.P.A.), Wood St. KIN 1001. Sales, surveys, property and chattel valuations, lettings, management.

Leatherhead, Ashtead, Oxshott.—CHAS. OSENTON AND CO., Chartered Auctioneers, 36 North Street, Leatherhead. (Tel. 3001/2); Ashtead 2382, Oxshott 3344.

Mitcham.—LEONARD DAVEY & HART, Chartered Surveyors, Auctioneers, Valuers and Estate Agents, Upper Green. Tel. MITcham 6101/2.

Redhill and Merstham.—E. H. BENNETT & PARTNERS Auctioneers and Valuers. Tel. Redhill 3672. Merstham 2234/5.

Reigate.—MARTEN & CARNABY, Surveyors, Auctioneers and Valuers, 23 Church Street. Tel. 3361/2.

Richmond.—ACLAND & CO., Estate Agents, Surveyors and Valuers. Rents collected. 27 Kew Road (Opposite Richmond Station). Tel. RIC 4811/2.

Richmond.—PENNINGTONS, 23 The Quadrant, Auctions, Valuations, Surveys. Rents collected. Tel. RIC 2255 (3 lines).

Sanderstead.—HOOKER & ROGERS, Railway Approach. Sanderstead. Manager, K. C. Fox, A.R.I.C.S. Tel. SAN 4414/5.

Surbiton.—E. W. WALLAKER & CO., F.A.L.P.A., Surveyors, Valuers, Auctioneers and Estate Agents, 56/7 Victoria Road, Surbiton, Surrey. Tel. Elmbridge 5381/4 and 4750, and at Chessington, Surrey, Shoreham-by-Sea and Lancing, Sussex. (Chartered Surveyor D. J. Peachey, F.R.I.C.S.)

Sutton.—DOUGLAS GRAHAM & CO., Estate Agents, Property Managers, 269 High Street. Tel. VIG 0026/7/8. And at Thornton Heath, Norbury and Piccadilly, W.1.

Sutton.—IDRIS JONES & PARTNERS, F.R.I.C.S., F.A.I., 22 The Arcade, Sutton. VIGilant 0182; and at 300 Abbey House, Westminster.

Thornton Heath.—LEONARD DAVEY & HART, Chartered Surveyors, Auctioneers, Valuers and Estate Agents, 781 London Road. Tel. THO 6211/2.

Thornton Heath.—DOUGLAS GRAHAM & CO., Estate Agents and Property Managers, 808 London Road. Tel. THO 3888 (4 lines). And at Norbury, Sutton and Piccadilly, W.1.

Virginia Water and Wentworth.—GOSLING AND MILNER, Station Approach, Virginia Water. Tel. Wentworth 2277. And at 8 Lower Grosvenor Place, S.W.1. Tel. Victoria 3634.

Wallington.—WILLIAM A. DAVIS & PARTNERS, 4 Stanley Park Road. Tel. Wallington 2567.

Walton.—MANN & CO. Est. 1891, 38 High Street Tel. 2331/2. Offices throughout West Surrey.

Walton and Weybridge.—HIGBY & CHARD (Consultants: George Geen, M.A., F.R.I.C.S., V.C. Lawrence, F.R.I.C.S.), 45 High Street, Walton-on-Thames. Tel. 2487/8.

Walton/Weybridge.—WARING & CO. Est. 1890. Surveyors, Estate Agents, Auctioneers and Valuers. Tel. Walton-on-Thames 24151/2.

West Byfleet.—MANN & CO., incorporating Ewbank and Co. Est 1891. Tel. 3288/9. Offices throughout West Surrey.

Weybridge.—EWBANK & CO., in association with Mann and Co. Est. 1891. Tel. 2323/5. Offices throughout West Surrey.

Weybridge and District.—J. E. PURDIE & SON, Chartered Surveyors and Estate Agents, 1 and 3 Queens Road, Weybridge. Tel. 3307 (3 lines), and at Walton-on-Thames.

Weybridge and District.—WATERER & SONS, Chartered Auctioneers and Estate Agents, Surveyors, etc. Tel. 3838/9

SURREY (*continued*)

Woking.—HOAR & SANDERSON, F.V.I. Tel. 3263/4. Ten associated Surrey offices.

Woking.—MANN & CO., Est. 1891, Chartered Surveyors. Tel. 3800 (6 lines). Offices throughout West Surrey.

Woking.—MOLDRAM, CLARKE & EDGLEY, Chartered Surveyors. Tel. 3419; and at Guildford.

SUSSEX

Angmering-on-Sea, Rustington, Worthing and Storrington.—BERNARD TUCKER & SON. Est. 1890. L. B. Tucker, F.R.I.C.S., F.A.I., G. H. E. Evans, F.A.L.P.A., W. J. Brown, F.A.I. Tels. Rustington 1, Worthing 5708/9. Storrington 535.

Arundel and Rustington.—HEASMAN & PARTNERS. Tel. Arundel 2323, Rustington 900.

Bexhill-on-Sea.—JOHN BRAY & SONS (Est. 1864), Estate Agents, Auctioneers and Valuers, 1 Devonshire Square. Tel. 14.

Bexhill-on-Sea and Cooden.—ERNEST SHEATHER, F.A.I., Chartered Auctioneer and Estate Agent, 14 St. Leonards Road. Tel. 350, 351 and 2280.

Bexhill-on-Sea and Little Common.—RICHES & GRAY (Est. 1883), Chartered Auctioneers and Estate Agents, 25 Sea Road, Bexhill-on-Sea. Tel. 34/5. And at 25 Cooden Sea Road, Little Common. Tel. Cooden 2939.

Brighton.—RAYMOND BEAUMONT, F.R.I.C.S., F.A.I., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 35 East Street. Tel. Brighton 20163.

Brighton.—MELLOR & MELLOR, Chartered Auctioneers and Estate Agents, 110 St. James's Street. Tel. 682910.

Brighton.—H. D. S. STILES & CO., F.R.I.C.S., F.A.I. (special rating diploma), 6 Pavilion Buildings. Tel. Brighton 23244 (4 lines). 10 King's Bench Walk, Temple E.C.4. Tel. Central 5356. 3 The Steyne, Worthing. Tel. Worthing 9192/3.

Brighton.—FRANK STONE & PARTNERS, F.A.L.P.A., 84 Queen's Road. Tel. Brighton 29252/3.

Brighton and Hove.—WILLIAM WILLETT, LTD., Auctioneers and Estate Agents, 52 Church Road, Hove. Tel. Hove 34055. London Office, Sloane Square, S.W.1. Tel. Sloane 8141.

Brighton, Hove and Surrounding Districts.—MAURICE P. HATCHWELL, F.R.I.C.S., F.A.I., Chartered Surveyor, Chartered Auctioneer and Estate Agent, 4 Bartholomews, Brighton, 1. Tel. Brighton 23107.

Brighton and Hove and Surrounding Districts.—C. HORTON LEDGER, F.A.I., Established 1885, Chartered Auctioneer and Estate Agent, Surveyor and Valuer, "Sussex House," 126/7 Western Road, Hove, Sussex. Tel. 71291.

Chichester and Bognor Regis.—WHITEHEAD & WHITEHEAD, Chartered Auctioneers and Estate Agents, South Street, Chichester. Tel. 3031 (5 lines). Station Road, Bognor Regis. Tel. 2237/8.

Crawley.—JOHN CHURCHMAN & SONS, Chartered Surveyors, Valuers, Land Agents. Tel. Crawley 1899.

Crawley.—WM. WOOD, SON & GARDNER, Surveyors and Valuers. Tel. Crawley 1.

Crowborough.—DONALD BEALE & CO., Auctioneers, Surveyors and Valuers. The Broadway. Tel. Crowborough 3333.

Eastbourne.—FRANK H. BUDD, LTD., Auctioneers, Surveyors, Valuers, 1 Bolton Road. Tel. 1860.

Eastbourne.—A. C. DRAYCOTT, Chartered Auctioneers and Estate Agents, 12 Gildredge Road, Tel. Eastbourne 1285.

Eastbourne.—HEFFORD & HOLMES, F.A.I., Chartered Auctioneers and Estate Agents, 51 Gildredge Road. Tel. Eastbourne 7840.

Eastbourne.—OAKDEN & CO., Estate Agents, Auctioneers and Valuers, 24 Cornfield Road. Est. 1897. Tel. 1234/5.

Eastbourne and District.—FARNHAM & CO., Auctioneers, Estate Agents and Valuers, 6 Terminus Road, Eastbourne. Tel. 4433/4/5. Branch at 87 Eastbourne Road, Lower Willingdon, and 4 Grand Parade, Polegate.

East Grinstead.—Messrs. P. J. MAY (P. J. May and A. L. Apthorp, F.R.I.C.S., F.A.I., M.R.San.I.), 2 London Road. Tel. East Grinstead 315/6.

East Grinstead.—TURNER, RUDGE & TURNER, Chartered Surveyors. Tel. East Grinstead 700/1.

Hassocks and Mid-Sussex.—AYLING & STRUDWICK, Chartered Surveyors. Tel. Hassocks 882/3.

Hastings, St. Leonards and East Sussex.—DYER & OVERTON (H. B. Dyer, D.S.O., F.R.I.C.S., F.A.I.; F. R. Hynard, A.R.I.C.S.). Consultant Chartered Surveyors. Estd. 1892. 6-7 Havelock Road, Hastings. Tel. 5661/2.

Hastings, St. Leonards and East Sussex.—WEST (Godfrey, F.R.I.C.S., F.A.I.) & HICKMAN, Surveyors and Valuers, 50 Havelock Road, Hastings. Tel. 6688/9.

Haywards Heath and District.—DAY & SONS, Auctioneers and Surveyors, 115 South Road. Tel. 1580. And at Brighton and Hove.

Haywards Heath and Mid-Sussex.—BRADLEY AND VAUGHAN, Chartered Auctioneers and Estate Agents. Tel. 91.

Horsham.—KING & CHASEMORE, Chartered Surveyors, Auctioneers, Valuers, Land and Estate Agents. Tel. Horsham 3355 (3 lines).

Horsham.—WELLER & CO., Surveyors, Auctioneers, Valuers, Estate Agents. Tel. Horsham 3311. And at Guildford, Cranleigh and Henfield.

(*continued on p. xviii*)

REGISTER OF

Auctioneers, Valuers, Surveyors, Land and Estate Agents

SUSSEX (continued)

Hove.—DAVID E. DOWLING, F.A.L.P.A., Auctioneer, Surveyor, Valuer & Estate Agent. 75, Church Road, Hove. Tel. Hove 37213 (3 lines).
Hove.—PARSONS SON & BASLEY (W. R. De Silva, F.R.I.C.S., F.A.I.), 173 Church Road, Hove. Tel. 34564.
Hove and District.—WHITLOCK & HEAPS, Incorporated Auctioneers, Estate Agents, Surveyors and Valuers, 65 Sackville Road. Tel. Hove 31822.
Hove, Portslade, Southwick.—DEACON & CO., 11 Station Road, Portslade. Tel. Hove 48440.
Lancing.—A. C. DRAYCOTT, Chartered Auctioneers and Estate Agents, 8-14 South Street, Lancing, Sussex. Tel. Lancing 2828.
Lewes and Mid-Sussex.—CLIFFORD DANN, B.Sc., F.R.I.C.S., F.A.I., Fitzroy House, Lewes. Tel. 750. And at Ditchling and Hurstpierpoint.
Seaford.—W. G. F. SWAYNE, F.A.I., Chartered Auctioneer and Estate Agent, Surveyor and Valuer, 3 Clinton Place. Tel. 2144.
Storrington, Pulborough and Billinghurst.—WHITEHEAD & WHITEHEAD amal. with D. Ross & Son, The Square, Storrington (Tel. 40), Swan Corner, Pulborough (Tel. 232/3), High Street, Billinghurst (Tel. 391).
Sussex and Adjoining Counties.—JARVIS & CO., Haywards Heath. Tel. 700 (3 lines).
West Worthing and Goring-by-Sea.—GLOVER & CARTER, F.A.L.P.A., 110 George V Avenue, West Worthing. Tel. 8686/7. And at 6 Montague Place, Worthing. Tel. 6264/5.
Worthing.—A. C. DRAYCOTT, Chartered Auctioneers and Estate Agents, 8-14 South Street, Lancing, Sussex. Tel. Lancing 2828.
Worthing.—EYDMANN, STREET & BRIDGE (Est. 1864), 14 Chapel Road. Tel. 4060.
Worthing.—HAWKER & CO., Chartered Surveyors, Chapel Road, Worthing. Tel. Worthing 1136 and 1137.
Worthing.—Patching & Co., Est. over a century. Tel. 5000. 5 Chapel Road.
Worthing.—JOHN D. SYMONDS & CO., Chartered Surveyors, Revenue Buildings, Chapel Road. Tel. Worthing 623/4.

WARWICKSHIRE

Birmingham and District.—SHAW, GILBERT & CO., F.A.I., "Newton Chambers," 43 Cannon Street, Birmingham, 2 Midland 4784 (4 lines).

WARWICKSHIRE (continued)

Coventry.—GEORGE LOVEITT & SONS (Est. 1843), Auctioneers, Valuers and Estate Agents, 29 Warwick Row. Tel. 3081/2/3/4.
Coventry.—CHAS. B. ODELL & CO. (Est. 1901) Auctioneers, Surveyors, Valuers and Estate Agents, 53 Hertford Street. Tel. 22037 (4 lines).
Leamington Spa and District.—TRUSLOVE & HARRIS, Auctioneers, Valuers, Surveyors. Head Office: 38/40 Warwick Street, Leamington Spa. Tel. 1861 (2 lines).
Rugby and District.—WIGGINS & RUSSELL, Auctioneers, etc., 14 Regent Place, Rugby (Tel. 2548).
Sutton Coldfield.—QUANTRILL SMITH & CO., 4 and 6 High Street. Tel. SUT 4481 (5 lines).

WESTMORLAND

Kendal.—MICHAEL C. L. HODGSON, Auctioneers and Valuers, 10a Highgate. Tel. 1375.
Windermere.—PROCTER & BIRKBECK (Est. 1841), Auctioneers, Lake Road. Tel. 688.

WILTSHIRE

Bath and District and Surrounding Counties.—COWARD, JAMES & CO., incorporating FORTT, HATT & BILLINGS (Est. 1903), Surveyors, Auctioneers and Estate Agents, Special Probate Department. New Bond Street Chambers. 14 New Bond Street, Bath. Tel. Bath 3150, 3584, 4268 and 61360.
Marlborough Area (Wilts, Berks and Hants Borders).—JOHN GERMAN & SON (Est. 1840), Land Agents, Surveyors, Auctioneers and Valuers, Estate Offices, Ramsbury, Nr. Marlborough. Tel. Ramsbury 361/2. And at Ashby-de-la-Zouch, Burton-on-Trent and Derby

WORCESTERSHIRE

Kidderminster.—CATTELL & YOUNG, 31 Worcester Street. Tel. 3075 and 3077. And also at Droitwich Spa and Tenbury Wells.
Worcester.—BENTLEY, HOBBS & MYTTON, F.A.I., Chartered Auctioneers, etc., 49 Foregate Street, Tel. 5194/5.

YORKSHIRE

Bradford.—NORMAN R. GEE & PARTNERS, F.A.I., 72/74 Market Street, Chartered Auctioneers and Estate Agents. Tel. 27202 2 lines). And at Keighley.

YORKSHIRE (continued)

Bradford.—DAVID WATERHOUSE & NEPHEWS, F.A.I., Britannia House, Chartered Auctioneers and Estate Agents. Est. 1844. Tel. 22622 (3 lines).
Hull.—EXLEY & SON, F.A.L.P.A. (Incorporating Officer and Field), Valuers, Estate Agents, 70 George Street. Tel. 33991/2.
Leeds.—SPENCER, SON & GILPIN, Chartered Surveyor, 2 Wormald Row, Leeds, 2. Tel. 3-0171/2.
Scarborough.—EDWARD HARLAND & SONS, 4 Aberdeen Walk, Scarborough. Tel. 834.
Sheffield.—HENRY SPENCER & SONS, Auctioneers, 4 Paradise Street, Sheffield. Tel. 25206. And at 20 The Square, Retford, Notts. Tel. 531/2. And 91 Bridge Street, Worksop. Tel. 2654.

SOUTH WALES

Cardiff.—DONALD ANSTEE & CO., Chartered Surveyors, Auctioneers and Estate Agents, 91 St. Mary Street. Tel. 30429.
Cardiff.—S. HERN & CRABTREE, Auctioneers and Valuers. Established over a century. 93 St. Mary Street. Tel. 29383.
Cardiff.—J. T. SAUNDERS & SON, Chartered Auctioneers & Estate Agents. Est. 1895. 16 Dumfries Place, Cardiff. Tel. 20234/5, and Windsor Chambers, Penarth. Tel. 22.
Cardiff.—JNO. OLIVER WATKINS & FRANCIS, Chartered Auctioneers, Chartered Surveyors, 11 Dumfries Place. Tel. 33489/90.
Swansea.—E. NOEL HUSBANDS, F.A.I., 139 Walter Road. Tel. 57801.
Swansea.—ASTLEY SAMUEL, LEEDER & SON (Est. 1863), Chartered Surveyors, Estate Agents and Auctioneers, 49 Mansel Street, Swansea. Tel. 55891 (4 lines).

NORTH WALES

Denbighshire and Flintshire.—HARPER WEBB & CO., (incorporating W. H. Nightingale & Son), Chartered Surveyors, 35 White Friars, Chester. Tel. 20685.
Wrexham, North Wales and Border Counties.—A. KENT JONES & CO., F.A.I., Chartered Auctioneers and Estate Agents, Surveyors and Valuers. The Estate Offices, 43 Regent Street, Wrexham. Tel. 3483/4.
Wrexham, North Wales and Ellesmere, Shropshire.—WINGETT & SON, Chester Street, Wrexham. Tel. 2050.

POINTS IN PRACTICE

Questions, which can only be accepted from practising solicitors who are subscribers either directly or through a newsagent, should be addressed to the "Points in Practice" Department, The Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, London, E.C.4. They should be **brief, typewritten in duplicate,** *and accompanied by the name and address of the sender* **on a separate sheet,** *together with a* **stamped addressed envelope.** *Responsibility cannot be accepted for the return of documents submitted, and no undertaking can be given to reply by any particular date or at all*

Will—VALIDITY—SAFEGUARD AGAINST IMPROPER ALTERATION

Q. We have hitherto prepared long wills by typing these on one side of brief paper, fastening them at the top left-hand corner with tape which is sealed. A testator has executed the last sheet and he and the witnesses have signed each preceding sheet by way of identification. It is found that such wills produce a very reduced reproduction when they are photographed by the probate registry and it is desired to employ draft size or smaller paper. In some cases our clients are elderly and it is tiring for them to have to sign their names a number of times. Can you suggest any method whereby draft or smaller papers could be stitched together so that the necessity for signing each sheet might be obviated without in any wise imperilling the validity of the document or not safeguarding it against improper alteration? If both sides of the paper were used would it be sufficient for identification to sign one side only?

A. On a will being lodged for probate at the probate registry no question will be raised provided the pages of the will are more or less securely fastened together. It is only when the signature of the testator appears on a page of the will upon which no part of the will is written (see s. 1, Wills Act Amendment Act, 1852), *and* there is no physical connection between that page and the other pages on presentation for probate that an affidavit of due execution will be called for to show that at the time of execution the pages were physically connected, e.g., by being held together in the testator's hand. English law requires a will to be signed by the testator once only, at the foot or end thereof. From the point of view of validity, it is unnecessary for the testator and the witnesses to sign each page unless there is a possibility that the will may have to be proved in a country where a will is invalid unless it has been signed on each page.

It is a different matter, however, when it has to be considered how to safeguard against improper interference with the will before it is proved. There are devices for stitching sheets of paper together along one edge but these are generally more appropriate to a bookbinder's premises than to a solicitor's office, and their cost is disproportionate to the amount of use which they would be given. One method is to type the will on both sides of the paper, then to punch three or more small holes through the left-hand side of each page, to thread tape through the holes and, bringing the ends of the tape together, to secure them with a seal. If it is desired further to safeguard the will, the testator and witnesses can be asked to sign each page on one side only; it may be less wearying if they place their initials on each page, again on one side only, since initials will rank as a signature if the question of validity arises. Another precaution which may be taken is for the solicitor to cause each page of the will to be stamped with a stamp bearing the name and address of his firm; it is preferable then to type the will on one side of the paper only and to place the stamp on the blank side, in case objection is taken to the stamp appearing in the probate copy of the will.

Company Law—EXEMPT PRIVATE COMPANY

Q. Our client, Mr. *S*, wishes to start a business venture on a basis of joint contributions of capital with an American gentleman, and it is desired to form a company, which, it is important, shall be an exempt private company for the purpose. The American party, for taxation reasons, wishes to have part of his share-holding held by a company incorporated in Switzerland, which, if incorporated in England, would satisfy the requirements of an exempt private company. While the Companies Act, 1948, does not appear expressly to say that the holding of shares in a British company by a foreign company which satisfies the definitions will prevent the British company from being exempt, we shall be glad to have your views upon the question whether exemption is lost.

A. An "exempt private company" must first be a "private company" (s. 129 (1) of the Companies Act, 1948). To be a "private company" it must first be a "company" (s. 28 (1)). A "company" is defined by s. 455 (1) as a company formed and registered under the Act or an existing company; an existing company is later defined by the same subsection as a company formed and registered under one of certain earlier Acts. It is therefore clear that a corporation formed outside Great Britain cannot be a company within the meaning of the Act, nor can it be a private company or an exempt private company. The Swiss company is, however, a body corporate for the purposes of Sched. VII to the Act, and therefore the English company in which it held shares would lose exemption.

Agricultural Land—RIGHT TO OCCUPY FOR EIGHT YEARS

Q. A purchaser of agricultural land wishes to allow the vendor to remain in occupation of part of the land for a term of eight years without payment. Is it possible to effect this without creating an agricultural tenancy, and if so, what form of document should be used? Can you refer us to a precedent?

A. We cannot refer you to a precedent for a licence which is to confer a right to occupy for eight years. Whether the object can be achieved depends, in our opinion, on the motives actuating the wish referred to. If these were such that the vendor-occupier would be bound to maintain the land in good condition and that the vendor's right to occupy is a factor influencing the price paid by the purchaser, the court looking at the substance of the agreement rather than at the words (see *Facchini* v. *Bryson* [1952] 1 T.L.R. 1386; *Errington* v. *Errington* [1952] 1 K.B. 290), the agreement would be construed as one creating a tenancy or lease. The question is one of intention (*Cobb* v. *Lane* [1952] 1 All E.R. 1202), and it is for this reason that motives, e.g., friendship or generosity, may play a decisive part: *Facchini* v. *Bryson*. We consider that the agreement should, at all events, describe the licence as one conferring a personal privilege or personal right of occupation; and that if there is consideration in the shape, say, of obligations to cultivate, there would be no harm in referring to "consideration."

NOTES AND NEWS

JUDICIAL COMMITTEE: CHANGE OF ADDRESS

Owing to rebuilding operations on their Downing Street premises the Judicial Committee of the Privy Council will begin their Easter Sittings on 26th April in the Old County Hall, Spring Gardens, S.W.1 (in the Mall, by the Admiralty Arch). It is understood that the Judicial Committee will be at their new address for between two and three years.

PEPPIATT COMMITTEE REPORT

A levy on bookmakers to yield about £1m. to £1½m. in the first full year of operation and which could be used for improvements in racehorse breeding, in prize money and in racecourse amenities, is recommended in the Peppiatt Committee report (Cmnd. 1003, H.M.S.O., 1s.).

OMBUDSMAN ON THIRD PROGRAMME

Professor Stephan Hurwitz, the Ombudsman of Denmark (a judge whose sole function is to protect the rights of the individual against the government and its servants), J. A. G. Griffith, Professor of English Law in the University of London, and H. W. R. Wade, Fellow of Trinity College, Cambridge, and a member of the Council on Tribunals, can be heard in a discussion on the B.B.C.'s Third Programme on 26th April, at 8 p.m.

WRIGHT HAMER TEXTILES, LTD.

The report of the inspectors appointed by the Board of Trade in July, 1957, pursuant to s. 164 of the Companies Act, 1948, to investigate the affairs of Wright Hamer Textiles, Ltd. (now in compulsory liquidation) has been published. (H.M.S.O., 1s.).

DEVELOPMENT PLANS

Proposals for Alterations or Additions Submitted to Minister

Title of plan	Districts affected	Date of notice	Last date before which written objections or representations may be made
County Borough of Blackburn	Area of the council	11th April, 1960	27th May, 1960
City and County Borough of Carlisle	Area of the council	18th March, 1960	30th April, 1960
County of the Isle of Ely	March Urban District	5th April, 1960	27th May, 1960
Sunderland County Borough Council	Area of the council	5th April, 1960	20th May, 1960
West Sussex County Council	Littlehampton Urban District; Chichester and Worthing Rural Districts	25th March, 1960	20th May, 1960

Proposal for Amendment Submitted to Minister

Title of plan	District affected	Date of notice	Last date before which written objections or representations may be made
Dorset County Council	Poole Borough	30th March, 1960	25th May, 1960

Amendments by Minister

Title of plan	Districts affected	Date of notice	Last date for applications to High Court
Bath City Council	Area of the council	25th March, 1960	6 weeks from 29th March, 1960
Bedfordshire County Council	Area of the council	31st March, 1960	6 weeks from 31st March, 1960
County Borough of Dudley	Area of the council	1st April, 1960	6 weeks from 1st April, 1960
Worcestershire County Council	Area of the council	8th April, 1960	6 weeks from 8th April, 1960

Approval by Minister

Title of plan	Date of notice	Last date for applications to High Court
County Borough of Blackpool	12th April, 1960	6 weeks from 12th April, 1960
County Borough of Swansea	22nd March, 1960	6 weeks from 25th March, 1960

THE SUPREME COURT FUNDS RULES, 1960

These Rules (S.I. 1960 No. 728), which come into operation on 2nd May, amend the Supreme Court Funds Rules so as to provide the machinery for transferring funds from a district registry of the High Court to the Accountant-General in any case where the court orders the funds to be placed on deposit or invested and the district registry is not one of those having power to place on deposit or to invest the funds. Rule 7 amends the existing r. 61 so as to simplify the procedure whereby a woman, who has married since the making of an order by the court, applies for money to be paid to her under the order. A number of minor and consequential amendments are also made in the rules and in the forms.

Honours and Appointments

Captain Evan Roderic Bowen, Q.C., has been appointed Recorder of the Borough of Swansea.

Mr. Joseph Thomas Molony, Q.C., has been appointed Recorder of the City of Southampton.

Mr. Eustace Wentworth Roskill, Q.C., has been appointed chairman, and Mr. Edgar Stewart Fay, Q.C., Professor Arthur Phillips, O.B.E., and Mr. Arthur Michael Lee, D.S.C., deputy chairmen, of Hampshire Quarter Sessions.

Mr. John Pennycuick, Q.C., has been appointed a judge of the High Court of Justice on the retirement of Mr. Justice Roxburgh on 25th April.

Mr. Cecil Saunders, who has been town clerk of Chipping Norton, Oxon, for the past five years, is taking up a similar post with the Tenterden Borough Council, Kent, shortly.

Law Lectures

An inaugural lecture by S. A. de Smith, M.A., Ph.D., Professor of Public Law in the University of London, on "The Lawyers and the Constitution" will be given at the London School of Economics and Political Science, University of London, on 10th May, at 5 p.m. Admission will be free without ticket.

The twelfth series of annual summer courses in law will be held at the City of London College, E.C.2, from 25th July to 19th August. The courses, which are under the direction of Mr. Clive M. Schmitthoff, barrister-at-law, are arranged for lawyers and law students from abroad, but are suitable as pre-study courses for English students proceeding to the study of law in the autumn. The courses fall into two categories, viz., English Law and Comparative Law, and International Law. A prospectus can be obtained from the Secretary of the College.

Societies

In The Law Society's Final Examination held last month, 125 of the 258 candidates passed. The Council have awarded the Sheffield Prize to John Neil Porter, and the John Mackrell Prize to John Denis Fraser.

The president of The Law Society, Sir Sydney Littlewood, gave a luncheon party on 10th April at 60 Carey Street, W.C. The guests were: the French Ambassador; Field Marshal Earl Alexander; Mr. Henry Brooke, Minister of Housing and Local Government; Mr. Justice Collingwood; Sir Harold Kent; Mr. G. C. Bentall; Mr. H. W. Pritchard; Mr. M. L. Edwards and Sir Thomas Lund.

The William Temple Association, London Branch, is holding a series of three meetings on the subject "Law and Morals" with talks by Lord Denning, president of the association, on "Religion, Morality and the Law" (3rd May); Rev. G. R. Dunstan, secretary of the Moral Welfare Council, on "Law and Morals in terms of Suicide" (31st May); and Mr. A. W. Peterson, chairman of the Prison Commissioners, on "The Penal Treatment of Offenders" (14th June). All meetings will be held at Liddon House, 24 South Audley Street, London, W.1, at 8 p.m. Fee to non-members, 2s.

Obituary

Sir John Hampden Anskip, K.B.E., B.A., solicitor, of Bristol, died on 8th April, aged 80. He was admitted in 1905.

Mr. Wilson Lugg, managing clerk and cashier with Messrs. Robbins, Olivey & Lake, solicitors, of London, W.C.2, for over fifty years, died on 10th April.

Mr. Henry John Brandis Slatter, solicitor, of Stratford-on-Avon, died on 2nd April, aged 81. He was admitted in 1903.

"THE SOLICITORS' JOURNAL"

Editorial, Publishing and Advertising Offices: Oyez House, Breams Buildings, Fetter Lane, London, E.C.4. Telephone: CHAncery 6855.

Annual Subscription: Inland £4 10s., Overseas £5 (payable yearly, half-yearly or quarterly in advance).

Classified Advertisements must be received by first post Wednesday.

Contributions are cordially invited and should be accompanied by the name and address of the author (not necessarily for publication).

CLASSIFIED ADVERTISEMENTS

PUBLIC NOTICES

URBAN DISTRICT OF RICKMANSWORTH

DEPUTY CLERK OF THE COUNCIL

Applications are invited for this appointment. Candidates must be solicitors with some local government experience. Salary £1,295–£1,350 × £50–£1,450. Intending applicants should apply to the undersigned for further particulars. A house is available if desired.

C. G. RANSOME WILLIAMS,
Clerk of the Council.

Council Offices,
Rickmansworth,
Herts.

CRAWLEY URBAN DISTRICT COUNCIL

(Population 52,000)

ASSISTANT SOLICITOR

Assistant Solicitor required. Salary within A.P.T. Grade IV—(£1,065–£1,220) plus temporary local weighting of £20 or £30 according to age. National Conditions and Superannuation Acts apply. Housing accommodation.

Applications with names of two referees to the undersigned by 6th May, 1960.

R. W. J. TRIDGELL,
Clerk of the Council.

Robinson House,
Robinson Road,
Crawley,
Sussex.

METROPOLITAN BOROUGH OF ISLINGTON

LEGAL ASSISTANT wanted, £630–£795 p.a., starting point according to experience. Superannuation scheme. Local Government experience not essential but an advantage. The Council are unable to provide housing accommodation. Application forms from the Town Clerk, Town Hall, Upper Street, London, N.1, returnable by 6th May, 1960.

METROPOLITAN BOROUGH OF ISLINGTON

WANTED: SOLICITOR, mainly advocacy/common law. Salary between £1,085 and £1,405 p.a., according to experience. Superannuation scheme. Application forms from Town Clerk, Town Hall, Upper Street, London, N.1, to be completed and returned by the 6th May, 1960.

LEGAL & GENERAL ASSURANCE SOCIETY, LTD.

NOTICE IS HEREBY GIVEN that the Transfer Books and Share Registers will be closed from the 8th to the 22nd June, 1960, inclusive, for the preparation of Dividend Warrants payable 1st July, 1960.

By Order of the Board.
H. F. PURCHASE,
Assistant Manager and Secretary.

ESSEX RIVER BOARD

SECOND ADMINISTRATIVE ASSISTANT

Applications for this post are invited from men who have had a few years' experience in a solicitor's office (local government or private practice) and are familiar with conveyancing practice and able to deal with routine correspondence.

The salary scale is from £595 to £765 per annum, the commencing figure depending upon experience and ability, and the post is pensionable.

Applications, stating age, experience and present employment, with names of two referees, should reach me at Rivers House, New Writtle Street, Chelmsford, Essex, by 2nd May, 1960.

W. J. S. BEW,
Clerk of the Board.

Amended Advertisement

HEBBURN URBAN DISTRICT COUNCIL

APPOINTMENT OF CLERK OF THE COUNCIL

Applications for the above appointment are invited from solicitors. The appointment will be subject to the conditions of service recommended by the Joint Negotiating Committee for Town Clerks and District Council Clerks and the salary will be within the range for population of 20–30,000.

The appointment will be terminable at any time by three months' notice on either side.

Applications, stating age, qualifications, experience, previous and present appointments, together with the names and addresses of two referees, to be sent to the undersigned not later than Tuesday, 3rd May, 1960.

J. R. PASSEY,
Clerk of the Council.

Council Offices,
Hebburn,
Co. Durham.

BOROUGH OF BEXLEY

ASSISTANT SOLICITOR

Commencing salary £1,000 per annum rising by annual increments of £40 and £45 to £1,165 per annum, plus "London Weighting" allowance. Previous local government experience is not essential.

Forms of application and conditions of appointment are obtainable from the undersigned to whom completed forms must be returned by 14th May, 1960. The Council may be prepared to assist in the provision of housing accommodation. Canvassing will disqualify.

ARTHUR GOLDFINCH,
Town Clerk.

Council Offices,
Bexleyheath,
Kent.

APPOINTMENTS VACANT

SURREY.—Managing Clerk, principally Conveyancing and Probate, little Common Law, required at once. House if required. Please state salary.—Box 6523, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

BRITISH TRANSPORT COMMISSION

SENIOR LAW CLERK

CHIEF SOLICITOR'S DEPARTMENT

Knowledge of real property law; experience in conduct of all types of Conveyancing matters, including the preparation of documents.

Commencing salary £875 rising to £1,034 p.a.

Apply stating age, qualifications, experience, present position and salary to Chief Solicitor, British Transport Commission, 21A John Street, London, W.C.1.

CONVEYANCING Clerk required by Wood Green Council. Salary within Grade A.P.T. II (£765–£880 plus London weighting).—Applications to Town Clerk, Town Hall, N.22, by 29th April, 1960.

LEADING City Solicitors have vacancy for a young conveyancing solicitor of above average ability; good salary with scope for considerable advancement; luncheon vouchers and pension scheme.—Write details age and experience to Box 205, Reynells, 44 Chancery Lane, W.C.2.

LEADING City Solicitors have vacancy for young Solicitor of exceptional ability to act as personal assistant to partner dealing mainly with company and commercial work. Scope for considerable advancement.—Write with details age and experience to Box 206, Reynells, 44 Chancery Lane, W.C.2.

READING.—Solicitors with practices in two other towns are now opening new offices in Reading. Solicitor required to take sole charge and build up practice. This is a long-term project and there is every prospect of partnership for the right man. One with three or four years' experience most suitable, but all applications considered.—Box 6567, Solicitors' Journal Oyez House, Breams Buildings, Fetter Lane, E.C.4.

continued on p. xx

South Western ELECTRICITY

VACANCIES FOR SENIOR ASSISTANTS

(UNADMITTED)

Applications are invited for the following positions in the Legal Department of the Board's Head Office at Electricity House, Colston Avenue, Bristol, 1.

1. Salary within the scale—£885 × £25—£960

Applicants should have had a minimum of 10 years' practical experience in conveyancing and have acquired a sound knowledge of the law of property. They will be required to undertake with the minimum of supervision the normal work of a Conveyancing department and must be thoroughly conversant with the conduct of registered as well as unregistered transactions and possess a working knowledge of settlements, trusts and probates as incidental to the investigation of titles.

The successful candidate will be required to deputise for the Board's Principal Conveyancing Assistant and to supervise the Conveyancing Section in his absence.

2. Salary within the scale—£795 × £25—£870

Applicants should have had a minimum of 5 years' practical experience in Conveyancing with a good general knowledge of the law of property and will be required to undertake (under slight supervision) straightforward purchases, leases and sales and any other dealings in registered and unregistered land.

In both cases, familiarity with compulsory purchase procedure and the law relating to electricity supply, whilst not essential, will be an advantage as also will be proficiency in the correct use of English and the ability to draft documents without the use of precedents.

- **38-hour 5-day week**
- **Two weeks annual holiday, rising to four weeks after qualifying service.**
- **Excellent sick pay and superannuation schemes.**
- **Canteen, sports and social facilities.**

APPLY, BY POSTCARD ONLY, FOR AN OFFICIAL APPLICATION FORM TO ROOM 314, ELECTRICITY HOUSE, COLSTON AVENUE, BRISTOL, 1, QUOTING REFERENCE LS. 1. CLOSING DATE FOR RECEIPT OF COMPLETED APPLICATIONS IS THE 29TH APRIL, 1960.

CLASSIFIED ADVERTISEMENTS—*continued from p. xix*

APPOINTMENTS VACANT—*continued*

LEICESTERSHIRE Market Town. Assistant Solicitor required in general practice with up to five years' experience. Opportunity to specialise in Conveyancing or Litigation and Advocacy. Suitable for newly qualified man. Salary according to capabilities.—Box 6574, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ASSISTANT Solicitor required at good salary for Company and Commercial work in London. Apply to Box 6575, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

WEST END Solicitors with expanding practice wish to engage Conveyancing, Company and Probate Managing Clerk capable of justifying salary in the region of £1,500 per annum. Monday to Friday, 9.30–5.30 p.m.—Write Box 6576, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

MANAGING Clerk required by very old established country practice 40 miles London. Staff 15. Conveyancing and general; admitted or unadmitted. Permanent post. Excellent salary to right man.—Box 6577, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

CITY Solicitors require unadmitted Probate Clerk.—Write giving particulars with age, experience and salary required, to Box 6350, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

YOUNG Assistant Solicitor required by large Industrial Bankers at their Head Office in London. Sound knowledge of conveyancing and general drafting essential. Commencing salary commensurate with age and experience. Pension and bonus schemes. Please write giving full details of age, experience and salary required to Box SJ. 127 c/o 191, Gresham House, E.C.2.

WEST MIDLANDS.—Conveyancing assistant (admitted or unadmitted) required for small general practice; opportunities for advocacy and litigation, if desired; progressive post with excellent prospects; salary approximately £1,000 per year.—Box 6412, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

REQUIRED for Legal Department of Watney Mann, Ltd. in Westminster, Conveyancing Clerk (unadmitted), aged about 30. Five-day week, contributory pension scheme, luncheon vouchers, salary by arrangement.—Box 6512, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ENERGETIC Solicitor willing to accept responsibility required to manage East London general practice. Suitable arrangements made for existing connection. Excellent opportunity and prospects.—Box 6460, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

S.E. LONDON solicitors require conveyancing and probate clerk with good knowledge of land registry procedure: experience of county court work preferred: pension scheme: write stating age: education: experience: salary required.—Box 6547 Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

BIRMINGHAM.—Assistant Solicitor required immediately by City firm mainly for conveyancing work. Salary according to experience.—Box 6546, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ILFORD Solicitors require Senior Shorthand Typist with knowledge of conveyancing. Salary according to age and experience. Would suit experienced person prepared to accept responsibility under supervision.—Reply Box 6580, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ISLE OF WIGHT Solicitors require conveyancing clerk able to handle considerable volume of work. Please write with age, experience and salary required.—Box 6579, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ASPRO-NICHOLAS LIMITED
SOLICITOR

REQUIRED as assistant in the legal department of a pharmaceutical manufacturing company at Slough, Buckinghamshire. Applicants should have been qualified for at least three years and preferably have had experience of trade mark and commercial law.

Commencing salary £1,250—£1,500 per annum, and pension benefits.

Applications to Personnel Manager, Aspro-Nicholas Limited, Slough, Bucks. (D 1)

SOLICITOR required for London suburban conveyancing practice—must be hard worker and capable of acting independently—good prospects of partnership.—Box 6354, Solicitors' Journal, Oyez House, Breams Buildings, E.C.4.

CONVEYANCER (solicitor or unadmitted managing clerk) required by Lincoln's Inn firm for their London south-west suburban branch; good prospects for advancement; commencing salary £1,250; please state age and experience.—Box 6355, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

MANAGING or other experienced Clerk required by a Finance House to deal with County Court and High Court work and day to day legal matters. Age immaterial, but applicant must be active and capable of working under pressure for short periods. Attractive starting salary with increases by arrangement. Local resident preferred. Write or Telephone.—Simplex Securities Limited, 125 Greenwich High Road, London, S.E.10. GRE 5758.

continued on p. xxi

CLASSIFIED ADVERTISEMENTS—*continued from p. xx*

APPOINTMENTS VACANT—*continued*

LITIGATION Managing Clerk urgently required for West End Office. Must be capable of handling substantial volume, particularly Third Party claims, and be well experienced. Remuneration of secondary importance to advertisers. Holidays honoured. —Full details to Box 6581, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

PROBATE, Trust and Conveyancing Assistant (male or female) required for Senior Partner in West Country town; knowledge of typing and possibly shorthand an advantage but not essential; aged 21–40; speed, accuracy and intelligence and a good education of greater importance than experience; a permanent and progressive position of great interest and possibilities.—Please write with details of age and experience to Box 6582, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

EXPERIENCED general clerk required in Southern England office to take charge of office organisation, equipment, supervision of Junior Personnel, and of costs, deeds, documents and photography clerks, and general conduct of office on modern business basis; re-organisation of Filing Systems the most urgent duty; some knowledge of costs and accounts and tax an advantage and also ability to help in other departments in an emergency; a substantial and progressive salary will be paid to a man able to re-organise with minimum of unpleasantness.—Please write details of age, experience and education to Box 6583, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

MATLOCK.—Assistant solicitor preferably 28–35 to take charge of Branch office under slight supervision. General country practice—mainly Conveyancing and Probate. Prospects of partnership after trial period. Salary dependent on experience.—Box 6584, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

SOLICITOR to Companies—City London, write stating age, experience and if office required.—Box 6578, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

COSTS Clerk required; Southern England Office; aged 30–40; Knowledge of Probate or Conveyancing or general accounts experience an advantage but not essential. Salary scale by arrangement with annual rises; generous benefits and assistance in various directions.—Write with age and experience to Box 6540, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ASSISTANT Solicitor required to assist Partner in South West London firm for approximately two years; excellent opportunity for young solicitor seeking experience in a busy general practice. Good salary to right man.—Box 6541, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ASSISTANT Solicitor with some experience of Probate and Conveyancing required by City firm. Write stating age, experience and salary required.—Box 6490, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

CONVEYANCING.—£1,000 PER ANN.—MODERN HOUSE RENT-FREE for conveyancing clerk (admitted or unadmitted), able and willing to handle considerable volume of work with slight supervision. East Herts. Pleasant country district near London.—Box 6562, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

WORCESTERSHIRE.—Solicitor required to take charge of litigation, magisterial and general work. Good salary and prospects.—Apply Box 6564, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

SOLICITOR urgently required by West End firm—four partners—in fast expanding litigation department. No specialisation required; excellent opportunity to lead to partnership, without capital investment, for man with right experience, ability and ambition. Salary £1,250, or more if substantiated.—Box 6558, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

OPENING occurs in Secretarial and Accounting Dept., Public Company, Holborn District for Senior Assistant. Age 30 to 45. Duties will include vetting conditions of contract applicable to Building Trade and responsibility for Insurance and Claims. Good opportunity and salary for person with initiative.—Write age, exp., and salary.—Box No. 6560, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

LINCOLN Solicitors, old-established, with large conveyancing, probate and general trust practice, require experienced unadmitted Clerk, capable of acting with minimum supervision. Good working conditions and progressive salary.—Write with full details to Box 6561, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ISLE OF WIGHT Solicitors want (*a*) Senior Clerk, (*b*) Junior Clerk, (*c*) Junior Solicitor. Progressive Conveyancing and General posts in expanding practice with several offices.—Salaries £500–£900.—Box 6563, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ELTHAM.—Conveyancing Clerk (25–40) required in busy practice. Every opportunity given. Good salary according to age and experience. Applicant should have had experience with firm of standing.—Please write: The Principal, Edmund Hemming and Co., 99 High Street, Eltham, S.E.9.

LITIGATION Managing Clerk required by Southend-on-Sea Solicitors; experience Divorce, Common Law claims and good working knowledge of High Court procedure essential. Capable working without supervision. Excellent working conditions. Salary by arrangement. Holidays honoured.—Box 6572, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ACCOUNTANT/CASHIER required by Bristol Solicitors with busy commercial office. Experience required in Solicitors' Accounts, Cashier's duties, Trust Accounts and Taxation. Good salary for a suitable applicant.—Box 6571, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

£850 OFFERED to newly qualified Solicitor for a position with a firm of Solicitors carrying on a General Practice in the North Notts area. Salary reviewed every six months. —Box 6565, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ASSISTANT Solicitor required to take over and develop litigation in busy Conveyancing practice Norfolk Coast; good prospects to capable and efficient Advocate. Please write stating age, experience and salary required.—Box 6475, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

MIDLANDS.—Young Solicitor, preferably with some experience in advocacy and common law required by old-established firm; prospects of partnership; state age and experience.—Box 6566, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ACCOUNTS Clerk with really good knowledge of Trust and Executorship and Solicitors Accounts; some knowledge of Costs or Probate an advantage but not essential; age 25–45; generous progressive salary; help given in moving and in housing if required. Southern England; near Home Counties.—Write with details of age and experience to Box 6538, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

SOLICITORS require general clerk with experience.—Apply Harding & Barnett, 14 New Street, Leicester.

CITY solicitors require experienced conveyancing clerk; hours 9.30—5, no Saturdays; pension scheme. Please state age, experience and salary required.—Box 6319, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ASSISTANT Solicitor recently qualified wanted for old-established general practice in Barnsley; willing to undertake advocacy. —Box 6396, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane E.C.4.

PROBATE Clerk (30–40) required by large firm of Solicitors in Southern England; must be first class trust accountant and able to work on own responsibility with slight supervision. Good progressive salary according to ability and experience; Pension Scheme; Holiday arrangements honoured.—Write with full details of age, education, experience and salary required to Box 6539, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

APPOINTMENTS WANTED

EXPERIENCED qualified conveyancer will assist over-burdened practitioners by investigating titles and drafting deeds on regular or intermittent basis.—Write in first instance Box 6585, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

CARDIFF, NEWPORT or area, Solicitor, 7 years admitted experience (mostly non-litigious), seeks responsible position.—Box 6586, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

PRACTICES AND PARTNERSHIPS

WESTMINSTER Solicitors wish to contact elderly Solicitor with a view to take over of practice or would acquire practice from Executors.—Box 6573, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

OPENING in Bedfordshire for young Solicitor.—Apply Hooper & Son, Chichester House, Chancery Lane, W.C.2.

PREMISES, OFFICES, ETC.

ESTATE Agents and Surveyors, 101 Western Road, Hove, Sussex, have office with use of waiting room to let £104 p.a.; Chartered Accountants in occupation first floor.—Particulars from J. H. W. Shaw, P.P.C.I.A., F.A.L.P.A., "Estate House," 76/80 Shaftesbury Avenue, London, W.1. GER 5851

OFFICES to let—FLEET. 2 ground floor rooms. Central position. £250 p.a. ex.—Box 6587, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

PROPERTY INVESTMENTS

INVESTMENTS REQUIRED

ACTIVE enquiries in hand for good-class shop investments, blocks of flats, freehold ground rents and weekly investments of all types.—Details in confidence to Cowdrey, Phipps & Hollis, F.A.L.P.A., Investment Department, 360 Neasden Lane, London, N.W.10. (Dollis Hill 6671–5)

MORTGAGE FUNDS

WE offer a specialised service re mortgage advances on Shop Properties, Factories and Houses over £10,000. Sums also available for Building and Industrial development.—MILLER SMITH AND PARTNERS, 139 Park Lane, W.1. Tel.: MAYfair 7081–4.

2ND MORTGAGES our speciality. Cranbrook Mortgage Bureau, 49 Cranbrook Road, Ilford, Essex.

continued on p. xxii

CLASSIFIED ADVERTISEMENTS—*continued from p. xxi*

VALUATIONS FOR PROBATE

ANTIQUE AND MODERN FURNITURE, Silver, Porcelain, Pictures, Books and all descriptions of Chattel Property VALUED FOR PROBATE, INSURANCE OR FAMILY DIVISION, or, if desired, included in specialised auction sales. Sales also arranged by tender or private treaty.—Phillips, Son & Neale, 7 Blenheim Street, New Bond Street, W.1. Telephone No : MAYfair 2424 Est 1796

REVERSIONS, LIFE POLICIES, ANNUITIES and UNQUOTED SHARES.—H. E. Foster and Cranfield, 6 Poultry, E.C.2, specialise in the valuation of these interests for probate purposes Established 1843

VALUATIONS

TRADE VALUATIONS
STOCKS & FIXTURES
SALE OR PROBATE

Extensive staff of expert valuers available at short notice

ALL MAIN DISTRIBUTIVE TRADES including Pharmacy

ORRIDGE & CO.

184 STRAND, LONDON, W.C.2

Telephone: TEMple Bar 9212/3 and 6340

Branch offices in Lancashire, Yorkshire, Hampshire, Glamorgan and Warwickshire

Members of leading professional bodies

VALUERS SINCE 1846

BUILDING LAND WANTED

LAND WANTED for housing. Home Counties. 2/50 acres. Agents retained and reinstructed. Planning applications and appeals undertaken.—TRUE BOND HOMES, LTD., 342 Richmond Road, East Twickenham (POP 6231).

PRIVATE INQUIRIES

DIVORCE and general inquiries undertaken throughout London, Surrey, Middlesex by our own staff. Evictions and distress warrants executed. Certificated Bailiffs. Southern Provincial Investigations, 45 Brighton Road, Surbiton, Surrey (Elmbridge 1032/4). Also at 107A Hammersmith Road, London, W.14

COSTS

THE Costs Department of The Solicitors' Law Stationery Society, Ltd., is available to the profession for the prompt preparation of all BILLS OF COSTS by expert draftsmen.—For full details apply The Manager, Costs Department, Oyez House, Breams Buildings, Fetter Lane E.C.4 (CHAncery 6855.)

PERSONAL

CARPETS

20 PER CENT. DISCOUNT on all makes, both British and Oriental. Fitted a speciality. London and Manchester showrooms. Free delivery. (Quotations sent on request.) Apply for introduction card to—G. L. CARPET CO., 7 Lens Road, London, E.7. GRAngewood 5185.

GARRARD & CO. offer the most generous prices for any jewellery, gold or silver that you are prepared to dispose of. Consignments sent to 112 Regent Street, London, W.1, will be valued the day received, and an offer sent without obligation by return.

FINANCIAL

A BARGAIN, £25 complete, brand new ready-made Co. Regns. Guaranteed no trading (England or Scotland); all trades available now, including Property Dealing; Mining/Quarrying; Garages; Electrical; Glass/China; Drapers; Packers; Plastics; H.P. Finance; Salvage; Banking, Nominees; Secretarial; Stocks/Shares; Property; Investments Caravans, etc. (specially prepared for each trade). Write, phone or call (English Registrations) BUSINESS ECONOMY Co., Regns., Ltd. (Dept. 14), 156 Strand, London, W.C.2 (Tem. 8377/2294); (Scottish Registrations to 19 Walker Street, Edinburgh, 3, (Cal. 1167/9). Read "Advantages of trading as a limited Company" (3/- post free). Ltd. Co. may save you personal tax. We also have seven days Co. Regn. service with your own choice of name £21 (plus stamp duty).

A COMPANY for £25. Ready-made Companies for every business available immediately. Also Registration Service from ten guineas inclusive of books, seal, etc. HART & CO. (BUSH HOUSE) LTD., 133/9 Bush House London, W.C.2 (TEMple Bar 1938.)

MORTGAGES required for our applicants. Sums of £1,000/£10,000 on owner-occupied houses. Also larger amounts on investment property, viz.: blocks of shops, houses, factories, etc. Two-thirds value required at 6%/6½%. Full scale legal and survey charges paid. Occasionally other applicants require second mortgages at 8% £200/£1,000 where there is ample equity. Write fully.—Welsford, Morgan & Co., (Morgage Brokers since 1908), 986 London Road, Thornton Heath, Surrey or Tel.: THO 2135.

TRANSLATIONS

LEGAL DOCUMENTS and other miscellaneous matter (French, German and Italian); accurate rendering mailed day work received.

H. Verney Clayton, M.C.,
THE Woodlands, Market Rasen, Lincs.

THE HAMILTON TRANSLATION SERVICE, LTD.
c/o THE SOLICITORS' JOURNAL,
OYEZ HOUSE,
BREAMS BUILDINGS,
FETTER LANE, E.C.4.

We specialise in the translation of all legal documents and correspondence from and into 48 Languages.

NAMEPLATES

NAMEPLATES in bronze, brass and plastic; quotations and full size layout sent free; signwriting a speciality.—Please send wording to Abbey Craftsmen, Ltd., Abbey Works, 109A Old Street, London, E.C.1. Tel.: CLE 3845.

NAMEPLATES in bronze, brass or plastics; Rubber Stamps; sketches and estimates free.—Austin Luce & Company, 16 College Road, Harrow, Middlesex. Tel.: Harrow 3839.

TYPING, ETC.

RUSHGROVE AGENCY can now undertake transcriptions from ORDINARY TAPE RECORDERS as well as STENORETTES and EMIDICTAS. Also COPYING, ENGROSSING, DUPLICATING, ABSTRACTING, etc. 561 Watford Way, London, N.W.7. MILl Hill 7242

DRAFTS and Engrossments expertly typed, hand engrossing, plans drawn or copied, multiple copying by special process, photocopying; all expeditiously done in proper form and at moderate charges. On all copying problems, consult the Copying Departments of The Solicitors' Law Stationery Society, Ltd., Head Offices, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

COPYING SERVICES

HELD UP FOR
COPIES?
RING MANSION HOUSE 1100

for express duplicating, photo-copying and electronic stencil-cutting service at reasonable rates. Also temporary and permanent office staff.

Remington

CITY BUSINESS SERVICE
100 GRACECHURCH STREET, E.C.3

MISCELLANEOUS

OLD DEEDS. — Good prices given for old parchment deeds; any quantity accepted, large or small.—Please send full details to H. Band & Co., Ltd., Brent Way, High Street, Brentford, Middlesex.

WEST HAM CORPORATION 5½%
MORTGAGES 3–10 YEARS
Special terms for loans of £5,000 or over
THE TREASURER (N) 95 GROVE, LONDON, E.15

SHIPWRECKED FISHERMEN AND MARINERS' ROYAL BENEVOLENT SOCIETY

helps the men of the Merchant Navy and Fishing Fleets and their families. These men face constant dangers. ***Thousands of survivors have been cared for, and Immediate Relief Grants given to thousands of widows and orphans.***

Contributions to: THE SECRETARY
(D9) 16 WILFRED STREET, WESTMINSTER LONDON, S.W.1
LEGACIES ARE WELCOMED
Patron: H.M. THE QUEEN

THE SAILORS' HOME AND RED ENSIGN CLUB

DOCK STREET, LONDON DOCKS, E.1.

Founded 1830 Incorporated 1912

President:
Admiral of the Fleet The Earl Mountbatten of Burma, K.G.

Chairman: Rear Admiral Sir David Lambert, K.C.B., O.B.E.

THE PARENT SAILORS' HOME

Provides officers and seamen of the Merchant Navy with a comfortable Home and Club. After recent modernisation it has now accommodation for 245 persons in separate rooms.

Charges are kept to the minimum. The Club is a Charity, and for its maintenance and to meet the cost of rebuilding, depends mainly on voluntary subscriptions and legacies.

The Council of Management also administers the Destitute Sailors' Fund.

Please remember this essential service to seafarers when advising clients

Banker: Messrs. Williams Deacons Bank Ltd., Birchin Lane, E.C.3

AUCTIONEERS' ANNOUNCEMENTS

ESTABLISHED 1845

STOCKER & ROBERTS

SURVEYORS · AUCTIONEERS · VALUERS

31 LEWISHAM HIGH STREET, S.E.13
34 BLACKHEATH VILLAGE, S.E.3
9 DEVEREUX COURT, STRAND, W.C.2
LEE GREEN 2135 LEE GREEN 2983

H.D.S. STILES & Co.

CHARTERED SURVEYORS
CHARTERED AUCTIONEERS & ESTATE AGENTS
10 KING'S BENCH WALK, TEMPLE, E.C.4
City 2946 and Central 5356
6 PAVILION BUILDINGS, BRIGHTON
Brighton 23244 (4 lines)
3 THE STEYNE, WORTHING
Worthing 9192/3

EST. 1881 TEL. Mon 1464, Syd 6601

EASTMAN BROTHERS
SURVEYORS and VALUERS
ESTATE AGENTS

Surveys and Valuations for all purposes
Plans and Specifications
Estate Management in all areas
HALIFAX HOUSE, 62/64 MOORGATE, E.C.2

Established 1843

A. HORROX & SONS, F.A.I.
72 Albion Street, Leeds, 1

Chartered Auctioneers and Estate Agents

Specialising in all matters appertaining to the Letting, Sale, Purchase and Valuation of Licensed Property
Telephone : Leeds 24300

Gerrard 5853–3963

SHAWS

(J. H. W. Shaw, F.A.L.P.A., M.R.San.I., P.P.C.I.A., F.V.I.)
ESTATE MANAGERS, SURVEYORS AND VALUERS
Estate House, 78-80 Shaftesbury Avenue, W.1
also at 151 Dulwich Road, Herne Hill, S.E.24
BRIxton 7866/7 *and* 42 Castle St., Brighton. Tel. 22900

FULLER HORSEY
SONS & CASSELL

AUCTIONEERS & VALUERS

of PLANT, MACHINERY

and FACTORIES

Since 1807

10 LLOYDS AVENUE
LONDON E·C·3

TELEPHONE ROYAL 4861

Rathbone

WARD, SAUNDERS & CO.

L. B. Saunders, F.A.I., F.C.I.A. W. J. Allin, F.A.L.P.A., F.V.I. W. J. Sims, F.A.I., F.V.I.

Auctioneers, Estate Agents, Surveyors and Valuers

SURVEYS, VALUATIONS, SALES, LETTINGS, MORTGAGES, REQUISITION CLAIMS, COMPULSORY PURCHASE, DILAPIDATIONS, ETC.

ESTATE MANAGEMENT SPECIALISTS

Bankers : Lloyds Bank Ltd. Barclays Bank Ltd.

The Estate Offices
298 and 299 Upper Street, London, N.1
Telephones: CANonbury 2487-2488-2489
Established over Half a Century

Edward Talbot & Sons

AUCTIONEERS, VALUERS
AND ESTATE AGENTS
C. PARRY, F.A.I. (Principal)
15 CROSS STREET, MANCHESTER, 2
Telephone: Blackfriars 3114 and 9669

COLE, HICKS AND CHILVERS

(Established over 80 years)
Auctioneers, Estate Agents and Surveyors
Helena Chambers, 42 Broadway, Ealing
Telephone : *Ealing* 4014/5/6

Established 1843

GEORGE LOVEITT & SONS

A. GREAVES, F.A.I. G. W. M. LOVEITT, A.R.I.C.S., F.A.I.
W. R. SPENCER, F.A.L.P.A. A. R. POMFRET, F.A.I.
Auctioneers, Surveyors, Valuers and Estate Agents
Management of Town and Country Properties
Inventories prepared Probate and Mortgage Valuations
Rating Appeals and Compensation Claims
29 Warwick Row, COVENTRY
Telegrams : "Presto" *Telephone* : 3081/2/3/4

EST. 1813

DEBENHAM STORR AND JOHNSON DYMOND LIMITED

–AUCTIONEERS AND VALUERS–
SPECIALISTS IN THE SALE OF ALL CLASSES OF PROPERTY

Sales held in two spacious Auction Rooms daily, one being reserved for jewellery, silver and plated ware, watches, etc.; the other for furniture, pictures, bronzes, works of art, carpets, guns, wine, furs, wearing apparel and personal effects

Valuations for Probate, Insurance and other matters

APPLY—
26 King Street, Garrick Street, London, W.C.2
Telephone : TEMple Bar 1181 & 1182
Telegrams : "Viewing" London

MATCH & CO. LTD.

Directors : A. A. ROSE, L. S. BRIMBLECOMBE, F.A.I. R. CRAMMOND
14/15 COLLEGE CRESCENT, LONDON, N.W.3
(nr. Swiss Cottage Station)
Telephone : *Primrose 0111 (Private Exchange)*

KING & CO.

Chartered Surveyors

725 GREEN LANES, LONDON, N.21
Laburnum 1137 (4 lines)
City Office : 71 BISHOPSGATE, E.C.2
London Wall 7201 (5 lines)

(ESTABLISHED 1899)

E. A. SHAW & PARTNERS

(C. M. SPAGNOLETTI, F.A.I.
R. T. FITZSIMMONS, F.A.I.)
SURVEYORS AND VALUERS
19 & 20 Bow Street, Covent Garden, W.C.2
(Over Midland Bank)
Tel.: COVENT GARDEN 2255 (4 lines)

JOHN BRAY & SONS

ESTABLISHED 1864
AUCTIONEERS VALUERS
ESTATE AND HOUSE AGENTS
1 Devonshire Place, Devonshire Road
Bexhill-on-Sea
Telephone : Bexhill 14 *Telegrams* : John Bray, Bexhill

A. G. RICHARDSON & SON

CYRIL RICHARDSON, F.R.I.C.S.
CHARTERED SURVEYORS, LAND AGENTS, AUCTIONEERS AND VALUERS
86 HIGH STREET, STEVENAGE, HERTS.
Telephone : Stevenage 257

HOTELS AND RESTAURANTS

HAMMERSLEY KENNEDY & CO.
19 Hanover Square, London, W.1
have since 1899 specialised in the sale and valuation of hotels and catering businesses to the exclusion of any other branch of estate agency. The partners are members of the leading professional bodies.

London and Home Counties

SPECIALISTS FOR 100 YEARS
VALUATIONS, SALES, PROPERTY MANAGEMENT

Salter, Rex & Co.

311 KENTISH TOWN ROAD, N.W.5
GULliver 1085 (5 lines)
24/7 HIGH HOLBORN, W.C.1
HOLborn 4819

H. E. WINGFIELD & CO.

BUYERS OF
FINE STAMPS

STAMPS VALUED FOR PROBATE AND INSURANCE PURPOSES

Call, write or 'phone
Miss R. Titford or Mr. A. L. Michael at
392 STRAND, LONDON
Tel.: TEMple Bar 4136 W.C.2

REVERSIONARY INTEREST SOCIETY LTD. (Est. 1823)

EQUITABLE REVERSIONARY INTEREST SOCIETY LTD. (Est. 1835)

The two Societies under the same management at
19 COLEMAN STREET, LONDON, E.C.2

Total Funds invested in the purchase of Reversions and Life Interests or in Loans upon them: £2,000,000

The Law Costs for Loans are regulated by Scale

THE STAR & GARTER HOME

For Disabled Sailors, Soldiers and Airmen
PATRON - HER MAJESTY THE QUEEN

About £40,000 is needed at the beginning of each year to meet the difference between known expenditure and dependable income.

THE HOME, WHICH IS AN INDEPENDENT CHARITY, RELIES ON FURTHER LEGACIES TO FILL THIS GAP.

Any additional information required is available from the Commandant (Dept. S.J.)

Star and Garter Home, Richmond, Surrey

Printed and published in Great Britain by THE SOLICITORS' LAW STATIONERY SOCIETY, LTD., Oyez House, Breams Buildings, Fetter Lane, London, E.C.4. Phone: Chancery 6855. Agents—The United States and Canada: The Carswell Co., Ltd., 145–149 Adelaide Street West, Toronto, 1, Canada; Australia and New Zealand: The Law Book Co. of Australasia Pty., Ltd., 140 Phillip Street, Sydney, N.S.W.; India and Pakistan: N. M. Tripathi, Ltd., 164 Princess Street, Bombay.
Published Weekly, 1s. 9d. Friday, April 22, 1960 Registered at the G.P.O. as a newspaper